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DEPARTMENT OF COMMERCE AND LABOR.

THE LAWS, TREATY, AND REGULATIONS

RELATING TO

THE EXCLUSION OF CHINESE

FROM

THE UNITED STATES.

ARRANGED FOR THE USE OF OFFICERS OF THE BUREAU OF IMMIGRATION.

JULY, 1908.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1908.

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DEPARTMENT OF COMMERCE AND LABOR.

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Laws, Treaty, and Regulations Relating to the Exclusion of Chinese from the United States.

PERSONS TO WHOM APPLICABLE.

* * * * *

And whereas the Government of China, in view of the antagonism and much deprecated and serious disorders to which the presence of Chinese laborers has given rise in certain parts of the United States, desires to prohibit the emigration of such laborer from China to the United States;

China desires to prevent emigration of laborers.

And whereas the two Governments desire to coöperate in prohibiting such emigration, and to strengthen in other ways the bonds of friendship between the two countries;

Both countries desire to exclude Chinese laborers from the United States.

* * * * *

ARTICLE I.

The High Contracting Parties agree that for a period of ten years, beginning with the date of the exchange of the ratifications of this Convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited.

Chinese laborers excluded from the United States for ten years.

* * * * *

Convention of Dec. 8th, 1894 (28 Stat. p. 1210).

AN ACT to prohibit the coming of Chinese persons into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all laws now in force prohibiting and regulating the coming into this country of Chinese persons and persons of Chinese descent are hereby continued in force for a period of ten years from the passage of this act.

Prohibits and regulates, for ten years, admission of Chinese persons and persons of Chinese descent.

SEC. 2. That any Chinese person or person of Chinese descent, when convicted and adjudged under any of said laws to be not lawfully entitled to be or remain in the United States, shall be removed from the United States to China, unless he or they shall make it appear to the justice, judge, or commissioner before whom he or they are tried that he or they are subject

Such persons to be, by judicial finding, deported, if found to be unlawfully here.

citizens of some other country, in which case he or they shall be removed from the United States to such country: *Provided*, That in any case where such other country of which such Chinese person shall claim to be a citizen or subject shall demand any tax as a condition of the removal of such person to that country, he or she shall be removed to China.

To be deported to China, if country of alleged allegiance imposes tax on return.

SEC. 3. That any Chinese person or person of Chinese descent arrested under the provisions of this act or the acts hereby extended shall be adjudged to be unlawfully within the United States unless such person shall establish, by affirmative proof, to the satisfaction of such justice, judge, or commissioner, his lawful right to remain in the United States.

Burden of proof on arrested Chinese person to show lawfulness of his presence here.

* * * * *

Act approved May 5, 1892.

* * * * *

SEC. 15. That the provisions of this act shall apply to all subjects of China and Chinese, whether subjects of China or any other foreign power;

Law applicable to Chinese subjects of all foreign countries.

* * * * *

Act approved July 5, 1884.

* * * There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; and no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

Chinese may not enter from Hawaii.

Joint Resolution July 7, 1898.

* * * * *

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera or other infectious or contagious diseases in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded in the interest of the public health the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

President may suspend all Chinese immigration—when.

* * * * *

Act approved February 15, 1893.

AN ACT To prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all laws now in force prohibiting and regulating the coming of Chinese persons, and persons of Chinese descent, into the United States, and the residence of such persons therein, including sections five, six, seven, eight, nine, ten, eleven, thirteen, and fourteen of the *Act entitled "An Act to* prohibit the coming of Chinese laborers into the United

Chinese persons and persons of Chinese race excluded *indefinitely.*

States," approved September thirteenth, eighteen hundred and eighty-eight, be, and the same are hereby, re-enacted, extended, and continued so far as the same are not inconsistent with treaty obligations, until otherwise provided by law, and said laws shall also apply to the island territory under the jurisdiction of the United States, and prohibit the immigration of Chinese laborers, not citizens of the United States, from such island territory to the mainland territory of the United States, whether in such island territory at the time of cession or not, and from one portion of the island territory of the United States to another portion of said island territory: *Provided, however*, That said laws shall not apply to the transit of Chinese laborers from one island to another island of the same group; and any islands within the jurisdiction of any State or the District of Alaska shall be considered a part of the mainland under this section.

Laws, not inconsistent with treaty obligations, re-enacted.

Chinese laborers may pass from one island to another of same group.

* * * * *

Act approved April 29, 1902.

NOTE.—Sections 2158–2163 of the Revised Statutes and the Act of March 3, 1875 (1 Supp. R. S., 86, chap. 141), prohibit the importation of "coolies," and of women for immoral purposes.

* * * * *

RULE 3. Chinese aliens shall be examined as to their right to admission to the United States under the provisions of the laws regulating immigration as well as under the laws in relation to the exclusion of Chinese persons. (See Op. Atty. Genl., June 24, 1903.)

Chinese may be excluded under provisions of immigration laws.

* * * * *

RULE 46. The provisions of the laws regulating immigration, excluding those which prescribe payment of the head tax, apply to the residents and natives of Porto Rico and the Philippine Islands; and, moreover, the provisions of the laws relating to the exclusion of Chinese apply to all such persons as are of the Chinese race, except those who are born in the United States. The citizens and residents of said islands, therefore, should be admitted to the United States upon the same conditions, except as to payment of the head tax provided for in section 1 of the act approved March 3, 1903, and subject to the same examinations as are enforced against people from countries over which the United States claims no right of sovereignty whatever.

Chinese in the insular territory of the United States.

* * * * *

Regulations July 27th, 1903.

THOSE WHO MAY BE ADMITTED.

* * * * *

ARTICLE II.

Returning laborers, conditionally.

The preceding Article shall not apply to the return to the United States of any registered Chinese laborer who has a lawful wife, child, or parent in the United States, or property therein of the value of one thousand dollars, or debts of like amount due him and pending settlement.

* * * * *

ARTICLE III.

Privileged classes, conditionally.

The provisions of this Convention shall not affect the right at present enjoyed of Chinese subjects, being officials, teachers, students, merchants or travellers for curiosity or pleasure, but not laborers, of coming to the United States and residing therein. To entitle such Chinese subjects as are above described to admission into the United States, they may produce a certificate from their Government or the Government where they last resided viséed by the diplomatic or consular representative of the United States in the country or port whence they depart.

Laborers in transit, conditionally.

It is also agreed that Chinese laborers shall continue to enjoy the privilege of transit across the territory of the United States in the course of their journey to or from other countries subject to such regulations by the Government of the United States as may be necessary to prevent said privilege of transit from being abused.

* * * * *

Convention of December 8, 1894.

Only those enumerated may land in this country.

RULE 1. Under the provisions of the laws and treaties in relation to the exclusion of Chinese persons, only such persons as are registered Chinese laborers, officials of the Chinese Government, teachers, students, travellers for curiosity or pleasure, merchants and their lawful wives and minor children, laborers seeking in good faith to pass through the country to foreign territory, seamen as provided in Rules 15 and 16, and persons whose physical condition necessitates immediate hospital treatment, shall be permitted to land at any port of the United States.

RULE 2. Only those Chinese persons who are expressly declared by the laws and treaty relating to the exclusion of Chinese to be admissible shall be allowed to enter the United States, and those only upon compliance with the requirements of said laws and treaty and of regulations issued thereunder. (See Op. Atty. Genl., Vol. XXII, p. 132.) If the Chinese person has been born in the United States, neither the immigration acts nor the Chinese exclusion acts prohibiting persons of the Chinese race, and especially Chinese laborers, from coming into the United States, apply to such person. (169 U. S. Sup. Court, 653.)

All others shall be excluded.

Except those born in the United States or

* * * * *

Regulations July 27th, 1903.

NOTE.—Under the provisions of section 4 of the Hawaiian act of April 30, 1900 (31 Stat., 141), a Chinese person born or naturalized in the Hawaiian Islands prior to the annexation of that Territory, and who has not since lost his citizenship, is a citizen of the United States.

Op. Attorneys-General, Vol. XXIII, p. 345.

Chinese citizens of Hawaii at time of annexation of said Territory.

* * * * *

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of the Treasury may prescribe, both as to the admission and return of such person or persons.

Persons to take part in expositions, conditionally.

* * * * *

Act approved April 29, 1902.

CONDITIONS TO BE COMPLIED WITH BY RETURNING LABO]

* * * *

Return of laborers prohibited.

SEC. 5. That from and after the passage of this act, r nese laborer in the United States shall be permitted having left, to return thereto, except under the conc stated in the following sections.

Exceptions—wife, child, or parent resident here. Property or choses in action of value of $1,000 here.

SEC. 6. That no Chinese laborer within the purview preceding section shall be permitted to return to the U States, unless he has a lawful wife, child, or parent i United States, or property therein of the value of one tho dollars, or debts of like amount due him and pending ment.

Time of marriage.

The marriage to such wife must have taken place at l year prior to the application of the laborer for a perr return to the United States, and must have been follow the continuous cohabitation of the parties as man and v

Property and choses in action must be bona fide.

If the right to return be claimed on the ground of prc or of debts, it must appear that the property is bona fid not colorably acquired for the purpose of evading this a that the debts are unascertained and unsettled, and not

Promissory notes insufficient.

issory notes or other similar acknowledgments of ascert liability.

Identification of returning laborer.

SEC. 7. That a Chinese person claiming the right to b mitted to leave the United States and return thereto o of the grounds stated in the foregoing section, shall ap the collector of customs of the district from which he wishes to depart at l month prior to the time of his departure, and shall make on oath before th collector a full statement descriptive of his family, or property, or debts, as th

Must submit proof of facts entitling him to return.

may be, and shall furnish to said collector such proof facts entitling him to return as shall be required by the and regulations prescribed from time to time by the tary of the Treasury, and for any false swearing in re thereto he shall incur the penalties of perjury.

He shall also permit the collector to take a full description of his person, description the collector shall retain and mark with a number.

And if the collector, after hearing the proofs and investigating all the ci stances of the case, shall decide to issue a certificate of return, he shall a

Certificate.—to be sole evidence given of right to return.

time and place as he may designate, sign and give to th son applying a certificate containing the number of tl scription last aforesaid, which shall be the sole evidence to such person of his right to return.

If this last-named certificate be transferred, it shall become void, and the person to whom it was given shall forfeit his right to return to the United States.

—not to be transferred.

The right to return under the said certificate shall be limited to one year; but it may be extended for an additional period, not to exceed a year, in cases where, by reason of sickness or other cause of disability beyond his control, the holder thereof shall be rendered unable sooner to return, which facts shall be fully reported to and investigated by the consular representative of the United States at the port or place from which such laborer departs for the United States, and certified by such representative of the United States to the satisfaction of the collector of customs at the port where such Chinese person shall seek to land in the United States, such certificate to be delivered by said representative to the master of the vessel on which he departs for the United States.

Limitation.

—extension in case of sickness or disability.

Certificate of sickness or disability.

And no Chinese laborer shall be permitted to re-enter the United States without producing to the proper officer of the customs at the port of such entry the return certificate herein required. A Chinese laborer possessing a certificate under this section shall be admitted to the United States only at the port from which he departed therefrom.

Return certificate indispensable.

Laborer to be admitted only at port from which he departed.

* * * * *

Act approved September 13, 1888.

* * * * *

SEC. 6. And it shall be the duty of all Chinese laborers within the limits of the United States at the time of the passage of this act, and who are entitled to remain in the United States, to apply to the collector of internal revenue of their respective districts, within one year after the passage of this act, for a certificate of residence, and any Chinese laborer within the limits of the United States who shall neglect, fail, or refuse to comply with the provisions of this act, or who, after one year from the passage hereof, shall be found within the jurisdiction of the United States without such certificate of residence, shall be deemed and adjudged to be unlawfully within the United States.

Must register within one year.

* * * * *

Act approved May 5, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section six of an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May fifth, eighteen hundred and ninety-two, is hereby amended so as to read as follows:

SEC. 6. And it shall be the duty of all Chinese laborers within the limits of the United States who are entitled to remain in the United States before the passage of the act to which this is an amendment to apply to the collector of internal revenue of their respective districts within six months after the passage of this act for a certificate of residence: and any Chinese laborer within the limits of the United States who shall neglect, fail, or refuse to comply with the provisions of this act and the act to which this is an amendment, or who, after the expiration of said six months, shall be found within the jurisdiction of the United States without such certificate of residence, shall be deemed and adjudged to be unlawfully within the United States, and may be arrested by any United States customs *official,* collector of internal revenue or his *deputies, United States* marshal or his deputies, and taken before a Unite

Time of registration extended to May 4, 1894.

Arrest.

Penalty for failure to register

States judge, whose duty it shall be to order that he b deported from the United States, as provided in this act an in the act to which this is an amendment, unless he shall e tablish clearly to the satisfaction of said judge that by reason of accident, sic ness, or other unavoidable cause he has been unable to pr cure his certificate, and to the satisfaction of said Unit States judge, and by at least one credible witness other th Chinese, that he was a resident of the United States on the fifth of May, eighte hundred and ninety-two; and if, upon the hearing, it shall appear that he is entitled to a certificate, it shall be granted upon his paying the cost.

unless from unavoidable cause.

If lost, how duplicate of certificate may be secured.

Should it appear that said Chinaman had procured a ce tificate which has been lost or destroyed, he shall be detain and judgment suspended a reasonable time to enable him procure a duplicate from the officer granting it, and in su cases the cost of said arrest and trial shall be in the discretion of the cou

Persons other than laborers may register to secure proof of right to residence here.

and any Chinese person, other than a Chinese laborer, havi a right to be and remain in the United States, desiring su certificate as evidence of such right, may apply for and recei the same without charge; and that no proceedings for a vi lation of the provisions of said section six of said act of M fifth, eighteen hundred and ninety-two, as originally enact shall hereafter be instituted, and that all proceedings for s violation now pending are hereby discontinued:"

Proceedings under former act discontinued.

Felons can not register.

Provided, That no Chinese person heretofore convicted any court of the States or Territories or of the United States o felony shall be permitted to register under the provisions this act; but all such persons who are now subject to d portation for failure or refusal to comply with the act which this is an amendment shall be deported from the United States as in s act and in this act provided, upon any appropriate proceedings now pending which may be hereafter instituted.

Deportation.

Definition of "laborer."

SEC. 2. The words "laborer" or "laborers," wherever us in this act, or in the act to which this is an amendment, sh be construed to mean both skilled and unskilled manual la orers, including Chinese employed in mining, fishing, huckstering, peddlin laundry men, or those engaged in taking, drying, or otherwise preserving sh or other fish for home consumption or exportation.

* * * * *

Description of certificate of residence.

The certificate herein provided for shall contain the pho graph of the applicant, together with his name, local re dence, and occupation, and a copy of such certificate, with duplicate of such photograph attached, shall be filed in t office of the United States collector of internal revenue of the district in whi such Chinaman makes application.

Applicant to furnish photograph in duplicate.

Such photograph in duplicate shall be furnished by ea applicant in such form as may be prescribed by the Secreta of the Treasury.

Act approved Nov. 3, 1893.

* * * * *

Registration in Hawaii.

SEC. 101. That Chinese in the Hawaiian Islands when th act takes effect may within one year thereafter obtain certi cates of residence as required by "An act to prohibit the co *ing of Chinese* persons into the United States," approved May fifth, eighte *hundred and ninety-two*, as amended by an act approved November thir *eighteen hundred* and ninety-three, entitled "An Act to amend an act entit

Act to prohibit the coming of Chinese persons into the United States,' oved May fifth, eighteen hundred and ninety-two," and until the expiration aid year shall not be deemed to be unlawfully in the ed States if found therein without such certificate: *Pro- l however*, That no Chinese laborer, whether he shall hold a certificate or not, shall be allowed to enter any State, itory or District of the United States from the Hawaiian nds.

Chinese laborer, registered or unregistered, can not enter United States from Hawaii.

* * * * *

ct approved April 30, 1900.

* * * * *

c. 4. That it shall be the duty of every Chinese laborer, er than a citizen, rightfully in, and entitled to remain in of the insular territory of the United States (Hawaii ex- ted) at the time of the passage of this Act, to obtain within one year thereafter rtificate of residence in the insular territory wherein he resides, which cer- ate shall entitle him to residence therein, and upon failure to obtain such tificate as herein provided he shall be deported from such insular territory; l the Philippine Commission is authorized and required to make all regula- ns and provisions necessary for the enforcement of this section in the Philip- e Islands, including the form and substance of the certificate of residence so t the same shall clearly and sufficiently identify the holder thereof and enable cials to prevent fraud in the transfer of the same: *Provided, however*, That if l Philippine Commission shall find that it is impossible to complete the regis- tion herein provided for within one year from the passage of this Act, said nmission is hereby authorized and empowered to extend the time for such istration for a further period not exceeding one year.

Registration in insular territory.

ct approved April 29, 1902.

* * * * *

ARTICLE II.

he preceding Article shall not apply to the return to the United States of any istered Chinese laborer who has a lawful wife, child, or rent in the United States, or property therein of the value one thousand dollars, or debts of like amount due him and ding settlement. Nevertheless every such Chinese laborer ll, before leaving the United States, deposit, as a condition of his return, with collector of customs of the district from which he departs, full description in writing of his family, or property, or bts, as aforesaid, and shall be furnished by said collector th such certificate of his right to return under this Treaty the laws of the United States may now or hereafter prescribe and not incon- tent with the provisions of this Treaty; and should the written description resaid be proved to be false, the right of return thereunder, of continued residence after return, shall in each case be feited. And such right of return to the United States shall exercised within one year from the date of leaving the ited States; but such right of return to the United States y be extended for an additional period, not to exceed one ar, in cases where by reason of sickness or other cause of disability beyond his ntrol, *such Chinese laborer shall* be rendered unable sooner to return—which *ts shall be fully reported* to the Chinese consul at the port of departure, and *im certified, to the satisfaction* of the collector of the port at which such

Return of registered laborers.

Conditions of return.

Requirements as to those remaining longer than one year.

Chinese subject shall land in the United States. And no such Chinese lab shall be permitted to enter the United States by land or sea without produ to the proper officer of the customs the return certificate herein required.

* * * * *

Convention of Dec. 8, 1894.

* * * * *

Overtime certificate from Chinese consul. (See Rule 31.)

RULE 5. Under an opinion of the Attorney-G eral (Vol. XXI, p. 357), the Chinese consul at port of departure from the United States is quired to certify to the sickness or other caus disability which a Chinese laborer alleges in exc for his failure to return within one year. To secure the benefi the conditional extension of the time of absence yond one year, the Chinese laborer making su claim must have departed from a port within jurisdiction of a Chinese consular officer.

Must depart from port where Chinese consul is located.

* * * * *

Hereafter original certificates shall not be issued except by judicial ruling.

RULE 19. Hereafter an original certificate of re tration can be issued to a Chinese laborer only up the finding of a justice, judge, or commissioner o United States court that such Chinese laborer wa resident of the United States during the period registration and that by reason of accident, sickness, or other u avoidable cause, he was then unable to secure such a certificate.

Duplicates of lost certificates.

RULE 20. Duplicate certificates of residence sh be issued only upon satisfactory proof to the Co missioner-General of Immigration that the Chin person upon whose behalf application therefor is made has actual by unavoidable accident, lost his original certificate.

* * * * *

Overtime certificate. (See Rule 5.)

RULE 31. Every Chinese laborer holding a retu certificate, if detained by his sickness or by oth disability beyond his control, for a time in exc of one year after the date of his departure fr the United States, shall produce to the chief officer in charge the port of return, which must be the port from which said labo departed, a certificate to that effect from the Chinese consul said port, based upon an accompanying report the United States consular officer at the foreign p at which said laborer embarked for the Unit States, that said consular officer has investigat the statements of said laborer and believes that he was unavoidal detained for the time specified and for the reasons stated.

Must be based on U. S. consul's report.

* * * * *

Ground on which right to return is claimed must exist at time of return.

RULE 35. Every departing Chinese laborer w has been furnished with a return certificate un the provisions of section 7 of the act approved S tember 13, 1888, must be informed by the officer whom such certificate is granted that, upon his turn to the port of departure, as a prerequisite to admission, th *must exist one* of the grounds recited in Article II of the conv *tion of December* 8, 1894, to entitle him to admission after a te *porary absence* from the United States.

:ULE 36. The officer issuing a return certificate to :parting laborer shall at the time of such issuance ıish said laborer with the following notice (prop- r filled out) and attached form of letter, for his in sending information of his intended return:

Investigation of claims before return of laborer.

OFFICE OF ——— ———,
PORT OF ——— ———,
(Date) ——— ———, 19—.

— ———.

R: In accordance with rule 36 of regulations issued by the Secretary of Com- ce and Labor on the 27th July, 1903, you are hereby informed that, in order to d the risk of a possibly fruitless voyage, you should, at least ninety days and exceeding four months prior to your intended return to this port, notify the ersigned officer of the approximate date of such return, giving your name foreign address on the subjoined blank form, and stating the ground or ınds on which you claim the right to admission to the United States, as well ıe occasion of your delay, if there has been such delay, in returning beyond year from the time of your departure. An investigation of your case will, eceipt of such notification, be promptly made, and you will be formally sed of the result thereof by a letter sent to the foreign address given.

Respectfully,

(Name of officer) ——— ———.
(Title of officer) ——— ———.

(Address) ——— ———,
(Date) ——— ———.

F OFFICER IN CHARGE ENFORCEMENT CHINESE EXCLUSION LAWS,
Port of ——— ———.

R: In compliance with the above notification, delivered to me prior to my arture from the United States, you are informed that I intend to return eto through your port, per steamship ———, on or about ——— ———, 190—. was granted return certificate No. ——, dated ——— ———, 190—, and departed your port per steamship ——— on ——— ———, 190—.

claim the right of admission because I have in the United States (either):

father named ——— ———, or mother, named ——— ———, residing at ———,

ild (or children), named ——— ———.

lawful wife, named ——— ———, residing at ———, to whom I was married he —— day of ———, and with whom I have continuously cohabited since said marriage.

he following property of the clear, unencumbered value of $———.

he following bona fide debts due me and pending settlement and not evi- ced by promissory notes or other similar acknowledgments of ascertained ility, and not colorably acquired for the purpose of evading the law:

from ——— ———..... $———
from ——— ———..... ———

ddress of debtors ——— ———.

respectfully request that my claims be preinvestigated and that I may be fied at the above address before ——— ———, 190—, whether I will be per- ed to reenter the United States.

was delayed —— days —— months beyond the year after my departure by — and will submit the evidence thereof required by the law and regulations.

Respectfully,

(Name) ——— ———.

Laborer to present return certificate.

RULE 37. Upon the arrival of any regist Chinese laborer at a port of the United States shall exhibit his return certificate to the chief of in charge of the enforcement of the Chinese-ex sion laws at said port, and if the evidence already secured in su case establishes the right of such a returning Chinese labore admission and is not controverted, then he should be admi without delay, but otherwise he shall be refused admission unti establishes his right thereto.

Evidence of claims must be presented prior to an investigation.

RULE 38. Administrative officers are hereby quired, in accordance with section 7 of the ac September 13, 1888, to exact of every regist Chinese laborer, applying for a return certific not merely a statement of the ground, or grou on which such laborer claims a right thereto, but also proofs of existence of such ground or grounds, either in the form of ors of written testimony, in detail by not less than two credible witne who shall satisfy such officers that they have had opportunit know the circumstances to which they testify. Until such pro supplied, the investigation preliminary to granting or refusing return certificate sought shall not be made.

If admitted residence certificate must be returned to laborer.

RULE 39. If a returning Chinese laborer is mitted, his certificate of residence, which must been left with the officer who granted him a re certificate, shall be returned to him, and the return certificate be taken up. After indorsing upon such re certificate his action in the case and the date ther the chief officer in charge shall forward it to Commissioner-General of Immigration, accom nied, if the Chinese applicant is denied admission, by said labor certificate of residence.

Disposition of return certificate.

* * * * *

Application for laborer's return certificate.

RULE 55. A Chinese person claiming the r to be permitted to leave the United States return thereto as a duly registered laborer s apply in person to the officer in charge of the trict in which he resides at least a month prior to the tim his departure; shall deposit with said officer a certificate of regis tion from the internal-revenue collector for the district in which resided at the time of registration, and shall make on oath be the officer in charge, in writing, a full statement descriptive of family, or property, or debts, as the case may be, and fully desc ing himself, giving his age, name, height, local residence, occupati color of eyes and complexion, and distinguishing marks, if any, naming the port from which he expects to depart from the Un States, which shall be one of those designated in Rule 4. S written description shall be filed in duplicate, and to each shall permanently attached a photograph of the Chinese person refer to therein. The officer in charge, or his deputy, with whom s certificate of registration and written description are filed, will m a thorough examination to ascertain whether the applicant is re tered, and as to the accuracy of the descriptive statement; that photograph accompanying the latter for the purpose of iden cation is that of the person described in such certificate

atements, and that his height, weight, and descriptive physical arks are accurately given, and will then write his official signaıre in part across such photograph and in part upon the adjoining ɔrtion of the written descriptive statement, to prevent substitution. he said officer in charge will then transmit the certificate of regisation to the Commissioner-General of Immigration, for comparion with the record thereof in his office, in respect not only to ame and date therein, but in all other particulars. At the same me the said officer in charge will in person or through an immirant or Chinese inspector, make thorough investigation as to the ıcts stated therein. As soon as practicable thereafter the said offier in charge will transmit such registration certificate, one copy of ıe sworn statement, and the reports of investigation to the officer ı charge of the district from which such Chinese laborer intends ɔ depart from the United States, and at the same time will transıit to said Chinese laborer the duplicate copy of such sworn stateıent, with instructions to present the same in person to the officer n charge at the port of departure. Upon the receipt of such certifcate of registration, the duplicate copies of said sworn statement, ınd the reports of investigation, the officer in charge or his deputy .t said port of departure, after one month from the date of filing of he original application in the office of the officer in charge of the listrict in which said Chinese laborer resides, if he finds that the ɔerson presenting such duplicate statement is the Chinese person herein described, and is entitled thereto, may sign and give to such ɔerson, on his departure from said port, a certificate containing the ıumber of the description referred to, in the following form:

No. ——. UNITED STATES OF AMERICA.

Certificate issued to Chinese laborer departing from the United States with the intention of returning thereto under the treaty between the United States of America and the Empire of China signed March 17, 1894, and proclaimed by the President of the United States December 8, 1894.

Form of return certificate.

This is to certify that —— ——, a Chinese laborer, described in identification paper numbered ——, port of ——, departed from this port for —— on this —— day of ——, 190—, with the intention of returning to the United States via this port within twelve months from said date.

Given under my hand and seal this —— day of ——, 190—, at ——, State of ——.

[SEAL.]

—— ——,

Officer in charge, Port of ——, District of ——.

If the last-named certificate be transferred, it shall become void, and the person to whom it was given by the officer in charge shall forfeit his right to return to the United States.

If transferred becomes void.

The certified description should be carefully preserved by the officer in charge at the port of exit as a means of identification of the Chinese person therein mentioned, who, in order to avail himself of the privilege conferred by said article 2 of the treaty, must return via the port of departure within one year from the date of his leaving the United States, unless prevented by sickness or other disability beyond his control.

* * * * *

One registration sufficient.

RULE 58. Chinese laborers duly registered unde act of 1892 are not required to register under act 1893 to secure admission. (T. D., 23344, Noven ber 7, 1901.)

Only registered laborers may have return certificates.

RULE 59. Only persons registered as Chinese l borers are entitled to return certificates. (T. D 23525, February, 20, 1902.)

* * * * *

Regulations July 27th, 1903.

NOTE.—A returning Chinese laborer whose return certificate has been lost destroyed is not entitled to reenter the United States. Sol. Treas., T. D., 22846.

CONDITIONS TO BE COMPLIED WITH BY RETURNING MERCHANTS.

* * * * *

Definition of merchant.

SEC. 2. * * * The term "merchant," as employed herein and in the acts of which this is amendatory, shall have the following meaning and none other: A merchant is a person engaged in buying and selling merchandise, at a fixed place of business, which business is conducted in his name, and who during the time he claims to be en gaged as a merchant does not engage in the performance of any manual labor except such as is necessary in the conduct of his business as such merchant.

Nature of evidence required of.

Where an application is made by a Chinaman for entrance into the United States on the ground that he was formerly engaged in this country as a merchant, he shall establish by the testimony of two credible witnesses other than Chinese the fact that he con

ucted such business as herein before defined for at least one year before his eparture from the United States, and that during such year he was not engaged n the performance of any manual labor, except such as was necessary in the onduct of his business as such merchant, and in default of such proof shall be efused landing.

* * * * *

Act approved November 3, 1893.

Lawful wife and minor children of, may be admitted, how.

RULE 25. The United States Supreme Court having decided that the lawful wife and minor children of a Chinese merchant may be admitted to the United States without presenting the certificate prescribed by section 6 of the act approved July 5, 1884, the attention of administrative officers is directed to the nature of the evidence required by section 2 of the act approved November 3, 1893, to establish the right of a domiciled Chinese merchant to readmission after temporary absence from the United States, and the said officers are directed to require such evidence as will give reasonable assurance that every Chinese applicant for admission as the lawful wife or minor child of a resident Chinese merchant sustains the actual relationship claimed to such merchant, and, in the case of a child, that such child is beyond question a minor.

* * * * *

Proof to be submitted at time of return.

RULE 29. Chinese persons applying for admission upon the ground of having been domiciled in the United States as merchants shall be required to establish, to a reasonable certainty, that they are actually owners of the business claimed or members of the firm owning such business, with proof of the amounts actually paid for their respective interests, the times at which such payments were made, and, if residents of the United States during the period of registration, whether they failed to register, and, if so, the reason therefor.

* * * * *

Permissive examination of status before departure.

RULE 33. Every Chinese merchant resident within the United States who desires to go abroad temporarily, to avoid unnecessary delay in securing admission upon his return, may transmit to the chief officer in charge at the intended port of departure, not less than thirty days prior thereto, affidavits of two credible winesses, other than Chinese, showing said merchant's actual ownership, in whole or in part, of an established mercantile business in this country, the amount of his interest therein, the nature of his personal employment in conducting said business, and that during the entire year antecedent to the date of such affidavits he engaged in no manual labor except such as was necessarily incident to the conduct of said business. If, after a thorough investigation, said officer is satisfied of the truth of the statements contained in the above-mentioned affidavits, he may indorse thereon over his signature his finding to that effect, coupled with a statement that the said Chinese merchant will, upon his return to the port of departure and proper identification, be permitted to enter the Unite

States, unless some of said statements should subsequently be shown to be false; provided, however, that said merchant still retains, unchanged, the mercantile interest owned by him at the time of his departure.

Permissive examination during absence.

RULE 34. As an additional means of securing prompt action upon the case of every Chinese person seeking admission as a returning merchant, as well as to save him the risk of a possibly fruitless voyage, the chief officer shall, at the time of departure of every such Chinese person, whose case has not already been investigated under Rule 33, furnish him with the following notice (properly filled out) and attached form of letter for his use in sending notification of his intended return:

——.

OFFICE OF —— ——,
PORT OF —— ——,
(Date) —— ——.

Form of notice to departing merchant.

SIR: In accordance with Rule 34 of regulations issued by the Secretary of Commerce and Labor on the 27th day of July, 1903, you are hereby notified that in order to avoid as far as possible the risk of making an unnecessary trip, which would result from a failure to establish your right to admission, you should, at least ninety days and not exceeding four months prior to your intended arrival at this port, notify the undersigned officer of your intention to return, the approximate date thereof, giving your name and foreign address and a statement of your claims to the right of admission on the subjoined blank. You may now or within the time above mentioned submit the evidence required by law to establish your mercantile status. The said claims will, on receipt of such notice, be promptly investigated, and a formal notification of the result of such investigation will be sent to you at the address given. This decision is not final and you are not precluded, if such result is adverse, from obtaining, upon your arrival at a port of the United States, a further investigation of your claims.

Respectfully,

(Name of officer) —— ——,
(Title of officer) —— ——.

(Address) —— ——,
(Date) —— ——.

CHIEF OFFICER IN CHARGE ENFORCEMENT CHINESE-EXCLUSION LAWS,
Port of —— ——.

Form of request by absent merchant for investigation of his business.

SIR: In compliance with the above notification, delivered to me prior to my departure from the United States, you are informed that I intend to return thereto, through your port, per ——, on or about —— ——, 190—.

I departed from the United States on the steamship ——, which sailed from your port on —— ——, 190—.

I have filed with you the evidence required by law to support my claim of right to readmission. I am a merchant and member (or proprietor) of the store of ——, at ——, in which my interest was and still remains $——.

I respectfully request that my claim be preinvestigated, and that I may be notified before —— ——, 190—, at the above address, whether I will be permitted to reenter the United States, and, if so, upon what condition.

Respectfully,

(Name) —— ——.

Upon the receipt of such notification, the chief officer in charge *shall make, or cause* to be made, a thorough investigation of the

aim therein made, and send due notice of his conclusions in regard ıereto to the applicant, who, upon arrival, shall establish his iden-ty with the sender of the notification and submit such additional ʼidence as may be necessary to prove his right to admission. If ıe evidence previously secured shall establish the right of such ɔplicant to admission, and is not controverted, then he shall be lmitted without delay, but otherwise he shall be refused admission ıtil he shall establish his right thereto.

* * * * *

RULE 45. With a view to assisting in the decision of the cases of leged Chinese merchants applying for admission to the United ıates as such, the following instructions are promulgated for the ıidance of all officers called upon to investigate the character of ıtablishments in which such applicants claim to have an active or nancial interest, to wit:

To photograph mercantile establishments.

(*a*) In every case when investigation shows that ıe alleged mercantile establishment has operated, ı connection with it, a laundry, restaurant, gamling establishment, or other nonmercantile business, r where there is anything to indicate that such establishment is in ıct different from that which is claimed, it is directed that photoraphs be taken of the room or rooms occupied by the firm, and, if ecessary, a view of the front or rear of the building, or both.

(*b*) These photographs should be of a size not less than 5 by 7 ıches nor more than 8 by 10 inches, and should be taken in such ıanner as to clearly show the real character of the business reported pon.

(*c*) The cost of each photograph shall include three unmounted rints thereof, together with the original negative. The latter hould be taken in charge by the officer making the investigation, nd by him carefully preserved, subject to the orders of the Departıent. If subsequently ordered sent elsewhere, negatives should be ırefully packed in wooden boxes, with excelsior filling, and should e properly labeled and shipped by express—never by mail—with ıitable marks upon the exterior of package to insure care of the ɔntents.

(*d*) One print of each photograph should be retained with the egative, the remaining two prints to accompany the report of inestigation sent to the official who originally desired the inquiry ıade.

(*e*) Care should be taken to avoid excessive charges by photogıphers, but reasonable expense for this service will be allowed pon request made of the Bureau of Immigration, Department of ʼommerce and Labor, such items to be paid from the appropriation Enforcement Chinese exclusion acts." Receipt of photographer ʼill be required as a subvoucher in each instance.

* * * * *

RULE 54. In the enforcement of the provisions of section 2 of the ct of November 3, 1893, relating to the application for admission f alleged returning Chinese merchants, it will not be enough to *ave witnesses testify* that an applicant for at least one year before *s departure from the* United States was not engaged in the per-*mance of any* manual labor except such as was necessary in the

conduct of his business as such merchant, but the testimony sho
show specifically the kind of work the Chinam
has done during the entire year, and, after det
ing the character of such work, should say that
has not performed any other labor than that s
cifically set forth. (S. 21039.)

Must prove specific nature of occupation as merchant.

* * * * *

Regulations July 27th, 1903.

CONDITIONS TO BE COMPLIED WITH BY CHINESE OFFICIAL

* * * * *

"SEC. 13. That this act shall not apply to diplomatic and other officers
Chinese or other Governments traveling upon the busi
that Government, whose credentials shall be taken as e
lent to the certificate in this act mentioned, and shall e
them and their body and household servants from the provisions of this
to other Chinese persons."

To produce credentials.

* * * *

Act approved July 5, 1884.

* * * *

SEC. 14. That the preceding sections shall not apply to Chinese diplomatic or nsular officers or their attendants, who shall be admitted the United States under special instructions of the Treasy Department, without production of other evidence than at of personal identity.

To be identified and admitted under regulations.

* * * * *

Act approved Sept. 13, 1888.

* * * * *

ARTICLE III.

The provisions of this Convention shall not affect the right at present enjoyed Chinese subjects, being officials * * * , of coming to the United States and siding therein. To entitle such Chinese persons as are ›ove described to admission into the United States, they ay produce a certificate from their Government or the Govnment where they last resided viséed by the diplomatic or consular representave of the United States in the country or port whence they depart.

May present certificate.

* * * * *

Convention of December 8, 1894.

* * * * *

RULE 4. No Chinese person, other than a Chinese iplomatic or consular officer and attendants, shall e permitted to enter the United States except at the orts of San Francisco; Portland, Oreg.; Boston; 'ew York; New Orleans; Port Townsend; Richford, Vt.; Malone, '. Y.; Portal, N. Dak.; Sumas, Wash.; Honolulu, Hawaii; San Juan nd Ponce, P. R.; San Diego, Cal., and Tampa, Fla.

May enter at other than stated ports.

* * * * *

Regulations July 27th, 1903.

CONDITIONS TO BE COMPLIED WITH, ON ORIGINAL ENTRY, B CHINESE MERCHANTS, TEACHERS, STUDENTS AND TRAVELLERS.

* * * * *

ARTICLE II.

Privileged classes.

Resident laborers.

Chinese subjects, whether proceeding to the United Stat as teachers, students, merchants, or from curiosity, togeth with their body and household servants, and Chinese labo ers who are now in the United States shall be allowed to and come of their own free will and accord, and shall accorded all the rights, privileges, immunities, and exemptions which a accorded to the citizens and subjects of the most favored nation.

* * * * *

Treaty November 17, 1880.

AN ACT to amend an act entitled "An act to execute certain treaty stipulation relating to Chinese, approved May sixth, eighteen hundred and eighty-two."

* * * * *

Section 6 of said act is hereby amended so as to read as follows:

Persons other than laborers.

Permission and identification by Chinese Government.

Amended by Art. III of treaty of Dec. 8, 1894.

Certificate.

"SEC. 6. That in order to the faithful execution of the pro visions of this act, every Chinese person, other than a labore who may be entitled by said treaty or this act to come withi the United States, and who shall be about to come to th United States, shall obtain the permission of and be ident fied as so entitled by the Chinese Government, or of such othe foreign government of which at the time such Chinese perso shall be a subject, in each case to be evidenced by a certificat issued by such Government, which certificate shall be in th English language, and shall show such permission, with th name of the permitted person in his or her proper signature, and which certi icate shall state the individual, family, and tribal name in full, title or offici rank, if any, the age, height, and all physical peculiarities, former and presen occupation or profession, when and where and how long pursued, and place residence of the person to whom the certificate is issued, and that such person entitled by this act to come within the United States.

Merchants.

"If the person so applying for a certificate shall be a me chant said certificate shall, in addition to above require ments, state the nature, character, and estimated value of the business carrie on by him prior to and at the time of his application as aforesaid: *Provided* That nothing in this act nor in said treaty shall be construed as embracin within meaning of the word 'merchant,' hucksters, peddlers, or those engage in taking, drying, or otherwise preserving shell or other fish for home consump tion or exportation.

Travelers.

"If the certificate be sought for the purpose of travel fo curiosity, it shall also state whether the applicant intends t pass through or travel within the United States, together with his financia standing in the country from which such certificate is desired.

Consular visé.

"The certificate provided for in this act, and the identity of the person name therein, shall, before such person goes on board any vessel t proceed to the United States, be viséed by the indorsement o the diplomatic representatives of the United States in the foreign country from which such certificate issues, or of the consular representative of the United *States at the port* or place from which the person named in the certificate *about to depart;* and such diplomatic representative or consular representativ *whose indorsement is so* required is hereby empowered, and it shall be his duty *before indorsing* such certificate as aforesaid, to examine into the truth of th

tatements set forth in said certificate, and if he shall find upon examination hat said or any of the statements therein contained are untrue it shall be his luty to refuse to indorse the same.

"Such certificate viséed as aforesaid shall be prima facie vidence of the facts set forth therein, and shall be produced o the collector of customs of the port in the district in the 'nited States at which the person named therein shall arrive, nd afterward produced to the proper authorities of the nited States whenever lawfully demanded, and shall be the ole evidence permissible on the part of the person so producing the same to stablish a right of entry into the United States; but said certificate may be conoverted and the facts therein stated disproved by the United States authorities."

Certificate prima facie evidence against United States and sole evidence for holder.

* * * * *

Section 12 of said act is amended so as to read as follows:

"SEC. 12. That no Chinese person shall be permitted to enter e United States by land without producing to the proper ficer of customs the certificate in this act required of Chinese ersons seeking to land from a vessel.

Entry by land.

* * * * *

Act approved July 5, 1884.

* * * * *

SEC. 2. * * *

The term "merchant," as employed herein and in the acts which this is amendatory, shall have the following meang and none other: A merchant is a person engaged in buyg and selling merchandise, at a fixed place of business, which business is conicted in his name, and who during the time he claims to be engaged as a erchant, does not engage in the performance of any manual labor, except such is necessary in the conduct of his business as such merchant.

"Merchant" defined.

* * * * *

Act approved November 3, 1893.

* * * * *

"SEC. 6. And it shall be the duty of all Chinese laborers within the limits of e United States who are entitled to remain in the United tates before the passage of the act to which this is an amendent to apply to the collector of internal revenue of their espective districts within six months after the passage of this ct for a certificate of residence; * * * and any Chinese person, other than a Chinese laborer, having a right to be and reain in the United States, desiring such certificate as evidence f such right, may apply for and receive the same without harge; * * *

Amending act May 5, 1892, as to laborers' certificates.

Others may secure certificates as evidence of their right to residence here.

* * * * *

Act approved November 3, 1893.

* * * * *

ARTICLE III.

The provisions of this Convention shall not affect the right t present *enjoyed of Chinese* subjects, being officials, teach*s, students, merchants* or travellers for curiosity or pleasure, *t not laborers, of coming* to the United States and residing therein. To entit

Privileged classes.

Certificate. such Chinese subjects as are above described to admissi into the United States, they may produce a certificate fro their Government or the Government where they last resided visé̂d by the dipl matic or consular representative of the United States in the country or pc whence they depart.

* * * * *

Convention of December 8, 1894.

* * * * *

Chinese may enter only at certain ports. SEC. 7. * * * and no Chinese person, except Chine diplomatic or consular officers and their attendants, shall permitted to enter the United States except at the ports San Francisco, Portland, Oregon, Boston, New York, Ne Orleans, Port Townsend, or such other ports as may be designated by the Secreta of the Treasury.

* * * * *

Act approved September 13, 1888.

* * * * *

Sole ports of entry for Chinese. RULE 4. No Chinese person, other than a Chine diplomatic or consular officer, and attendants, sha be permitted to enter the United States except the ports of San Francisco; Portland, Oregon; Bo ton; New York; New Orleans; Port Townsend; Richford, Vermon Malone, New York; Portal, North Dakota; Sumas, Washingto Honolulu, Territory of Hawaii; San Juan and Ponce, Porto Ric San Diego, California; and Tampa, Florida.

* * * * *

Student defined. RULE 32. In considering evidence touching tl right of a Chinese student to enter the United State administrative officers should be governed by tl opinion of the Solicitor of the Treasury Department (of June 1 1900), that a Chinese student within the intention of the treaty December 8, 1894, and of the laws, is "a person who intends pursue some of the higher branches of study, or one who seeks be fitted for some particular profession or occupation for whic facilities of study are not afforded in his own country; one for who support and maintenance in this country, as a student, provisic has been made, and who, upon completion of his studies, expec to return to China."

* * * * *

Omissions from section 6 certificates. RULE 28. The omission from a certificate, pr scribed by section 6 of the act approved July 1884, of any of the information required by said se tion is fatal to the sufficiency of said certificate as ev dence of the right of the person to whom issued to enter the Unite States.

* * * * *

Regulations July 27th, 1903.

CHINESE PERSONS SEEKING THE PRIVILEGE OF TRANSIT THROUGH THE UNITED STATES.

* * * * *

RULE 14. Every Chinese person seeking permis-
on to land for the purpose of passing through the
nited States to a foreign destination must comply
ith the provisions of Department circular[a] No. 163 of December 8,
00, and if found. in the judgment of the chief officer in charge at
e port of arrival, to be seeking the privilege of transit with an
terior purpose of gaining an unlawful access to the United States,
all be refused permission to land.

Conditions to be complied with.

* * * * *

RULE 40. Every Chinese person claiming the privilege of transit
rough the United States to foreign territory under the provisions
Article III of the convention of December 8, 1894, shall, as a con-
ition precedent to being allowed such privilege, comply with the
llowing requirements:

(*a*) The applicant shall be required to produce to
e chief officer in charge of the enforcement of the
hinese-exclusion laws at the port of arrival a pre-
aid through ticket across the whole territory of the United States,
nd or water, intended to be traversed (and to his alleged foreign
estination according to the manifest of the vessel on which he
rives), and such other reasonable proof as may be required of him
satisfy the said officer that a bona fide transit only is intended,
d that the applicant does not seek the foreign destination named
y him with an *ulterior* purpose of thereby gaining access to the

To satisfy officer of good faith.

[a] Embodied in Rule 40.

United States in violation of law; and such ticket and other ev dence in writing presented by the applicant must be so stamped marked and dated by the said officer, or his deputy, as to preve their use a second time; but no such applicant sh be considered as intending in good faith to ma such transit only if he has already, on same arriv made application for and been denied admission the United States.

To be refused if already denied admission on same trip.

(*b*) The applicant in such case, or some responsible person in h behalf, or the transportation company whose through ticket holds, shall furnish to the said chief officer in char a good and sufficient bond in the penal sum $500 conditioned for applicant's continuous tran through and actual departure from the United States within reasonable time, not exceeding in any instance twenty days fro the date upon which said privilege is granted; but the said bo shall not be required of any such applicant wh remains on shipboard for transit through the wat territory of the United States, or who is transferr from one vessel to another vessel in a port of the United States f a similar transit, unless the vessel on which said applicant depa may touch at another port of the United States on the way to i foreign port or destination.

To furnish bond.

When bond is not required.

(*c*) The applicant in every such case shall furni to said chief officer in charge, to be taken as direct by said officer, a photograph of himself in triplica and shall submit, if he is not a member of one of the classes e empted in Article III of the treaty of December 8, 1894, to t physical examination of his person required by the Bertillon sy tem of identification.

To furnish photograph, etc.

* * * * *

Regulations July 27, 1903.

* * * * *

ARTICLE III.

* * * * *

It is also agreed that Chinese laborers shall continue to enj the privilege of transit across the territory of the Unit States in the course of their journey to or from other cou tries, subject to such regulations by the Government of t United States as may be necessary to prevent said privilege transit from being abused.

Transit of laborers across country.

* * * * *

Convention December 8, 1894.

HINESE PERSONS SEEKING ADMISSION TO TAKE PART IN EXHIBITIONS AUTHORIZED BY CONGRESS.

* * * * *

SEC. 3. That nothing in the provisions of this Act or any ther Act shall be construed to prevent, hinder, or restrict ny foreign exhibitor, representative, or citizen of any foreign ation, or the holder, who is a citizen of any foreign nation, f any concession or privilege from any fair or exposition auhorized by Act of Congress from bringing into the United tates, under contract, such mechanics, artisans, agents, or ther employees, natives of their respective foreign countries, s they or any of them may deem necessary for the purpose of making prepaation for installing or conducting their exhibits or of preparing for installing r conducting any business authorized or permitted under or by virtue of or ertaining to any concession or privilege which may have been or may be ranted by any said fair or exposition in connection with such exposition, under uch rules and regulations as the Secretary of the Treasury may prescribe, both s to the admission and return of such person or persons.

Chinese not prohibited admission under contract to take part in expositions.

Regulations both as to their admission and departure.

* * * * *

Act approved April 29, 1902.

* * * * *

RULE 44. Every Chinese person seeking admission to the United tates under the provisions of section 3 of the act approved April 29, 1902, for the purpose of taking part in any fair or exhibition authorzed by act of Congress, shall, as a condition precedent to such dmission, comply with the following conditions, and officers harged with the enforcement of the Chinese-exclusion laws shall ikewise, so far as action on their part is required, conform thereto. his rule takes the place of Treasury Department Circular No. 5, ureau of Immigration, dated January 7, 1903.

Must be holder of a privilege or employee of such holder.

(*a*) Every such person shall furnish to the offic in charge of the enforcement of the Chinese-exclusi laws at the port of entry satisfactory evidence th he is a holder of a privilege from the officers of sa exposition, or an employee of a holder of such a privilege, engage to take part therein.

Must furnish photograph.

(*b*) He shall furnish to the said officer in charg at the port of entry a photograph of himself, in tri licate, and shall submit to such examination as ma be deemed necessary to insure his identification.

Must proceed to and return from exposition without delay.

(*c*) He shall, if admitted, proceed immediately by direct and continuous travel, to the said expos tion, wherever located; remain there during hi stay in the United States; engage while there solel in the occupation for which he was admitted; r turn within thirty days after the close of said exposition by direc and continuous travel to the port at which he was admitted, an thence depart, by the first vessel sailing thereafter, to China o to the country of which he is a citizen or subject.

Must furnish bond.

(*d*) He shall furnish to the United States office in charge by whom he is admitted a bond of $500 with a responsible bonding and surety company a surety, conditioned for his immediate departure to said expositio grounds, his constant attendance and employment at said ground and his departure from the United States, all in accordance wit the next preceding regulation.

Merchants not required to furnish bond or remain at exposition.

(*e*) Tho requirements of the next preceding pa agraph (*d*), as well as of paragraphs (*i*) and (*j* hereinafter, shall not apply to Chinese merchan seeking admission to make a display of their good at such exhibition, who shall be permitted to land upon present tion of a certificate to the foregoing effect, issued by their govern ment and viséed by the United States consular or diplomatic offic at the port of departure.

Record to be kept at port of admission.

(*f*) The following form of record shall be kep in duplicate by the officer in charge at the port o admission of all Chinese persons admitted in accord ance with these regulations, the original to be kept on file at sai port and the duplicate to be forwarded to the Bureau of Immigra tion, Department of Commerce and Labor:

Form of record.

[Form of Chinese record.]

Chinese employee's record of admission.

DEPARTMENT OF COMMERCE AND LABOR.
BUREAU OF IMMIGRATION.

File No. of record, ——.
Name, —— ——.
Native of ——.
Employed by —— ——, of ——, an exhibitor at *the* ——.
When admitted, —— ——.
(Here attach photograph to both duplicate and original.)

No. —. U. S. IMMIGRATION SERVICE.

Port of —— ——, —— ——.

THIS IS TO CERTIFY, That —— ——, a native o ——, who is duly accredited as an employee o —— ——, of ——, an exhibitor at the —— U. S. A., has been permitted to enter the United State as such employee (or exhibitor) in pursuance of an act of Congress approved April 29, 1902.

(Name of officer) —— ——.
(Title of officer) —— ——.

(Duplicate to be forwarded to Commissioner-Gen eral of Immigration.)

.n officer, or officers if necessary, will be des-
to remain at the grounds of said exposition
luty it shall be to keep, in duplicate, a record
ollowing form (unless hereafter modified),
y Chinese person admitted under these rules and regulations
part in said exposition:

Officers at exposition to keep record.

[Form of report.]

——.

;o attach photo-
]

Name of employee or exhibitor, —— ——.
Sex, ——.
Age, ——.
Name of exhibitor by whom employed, —— ——.
Character of work to be done in connection with exposition, ——.
What hours and how many per diem employed, ——.
Time of arrival at exhibition grounds, ——.
Time of departure from exhibition grounds, ——.

—— ——.
[Signature of Chinese employee or exhibitor.]

—— ——.
[Signature of officer or officers.]
(Duplicate to be forwarded to Commissioner-General of Immigration.)

officer or officers shall also have such supervision over every
ıinese person and such duties in relation to them as are author-
y law and these rules and regulations and instructions issued
nder.

That one of the photographs provided for in
ıph (*b*) hereinbefore shall be sent by the offi-
:he port of arrival at which any such Chinese
is admitted to the officer or officers provided for in paragraph
these regulations, who shall attach said photograph to the
f report prescribed, using it as a means of identification of
rson whose portrait it is.

Use of photographs.

Should any such Chinese person desire to leave
ɔunds of said exposition temporarily, he must
to the officer provided for in paragraph (*g*)
, who may issue to him a dated card, giving
ne and other particulars for his identification, and stating that
ermitted to absent himself from said grounds not longer than
ight hours from the date of said card, which shall, upon his
within the specified time, be delivered to said officer and
ed.

Permission to leave exposition grounds.

All Chinese persons holding such cards who
return within the specified period, shall be
d to be unlawfully within the United States
ıe bonds given on their behalf shall be for-
and such person shall be deported. The officer designated to
aid cards shall promptly notify the Commissioner-General of
:ration of the absence, in violation of these regulations, of any
:e person, in order that the penalty of the bond given in his
shall be collected, and such Chinese person deported.

Failure to return within forty-eight hours.

Immediately after the expiration of the thirty
ɔllowing the close of said exposition, the offi-
the ports of arrival at which any such Chinese
is admitted are directed to report to the Com-
er-General of Immigration the total number, together wit

Reports of officers at close of exposition.

names, etc., of the Chinese persons who were admitted at the respectively, for the purpose stated, and the numbers and n those who have been properly identified and permitted to d accordance with these regulations.

* * * *

Regulations July 27, 1903.

MASTERS OF VESSELS HAVING CHINESE PERSONS ON BC

AN ACT to amend an act entitled "An act to execute certain treaty sti relating to Chinese, approved May sixth, eighteen hundred and eight

* * * *

Section two of said act is hereby amended so as to read as follows:

Liability of master of vessel.

"SEC. 2. That the master of any vessel who shall k: bring within the United States on such vessel, and attempt to land, or permit to be landed any Chines from any foreign port or place, shall be deemed guilty of a misdemeano conviction thereof shall be punished by a fine of not more than five dollars for each and every such Chinese laborer so brought, and may al prisoned for a term not exceeding one year."

* * * *

Section eight of said act is hereby amended so as to read as follows:

Master of vessel to furnish sworn list of passengers.

"SEC. 8. That the master of any vessel arriving in tl States ffom any foreign port or place shall, at the s he delivers a manifest of the cargo, and if there be then at the time of making a report of the entry of tl *pursuant to law, in* addition to the other matter required to be repo *before landing,* or permitting to land, any Chinese passengers, deliver *to the collector of* customs of the district in which such vessels shall h

ɔarate list of all Chinese passengers taken on board his vessel at any foreign or place, and all such passengers on board the vessel at that time. Such ;hall show the names of such passengers (and if accredited officers of the ese or of any other foreign Government, traveling on the business of that ·rnment, or their servants, with a note of such facts), and the names and r particulars as shown by their respective certificates; and such list shall be n to by the master in the manner required by law in relation to the manifest e cargo.

ny refusal or willful neglect of any such master to comply the provisions of this section shall incur the same pen- s and forfeiture as are provided for a refusal or neglect to report and deliver ınifest of the cargo."

Penalty.

ɛtion ten of said act is hereby amended so as to read as follows:

EC. 10. That every vessel whose master shall knowingly violate any of the isions of this act shall be deemed forfeited to the United ɜs, and shall be liable to seizure and condemnation in district of the United States into which such vessel may r or in which she may be found."

Liability of vessel.

ɛtion eleven of said act is hereby amended so as to read as follows:

ɜEC. 11. That any person who shall knowingly bring into or cause to be ıght into the United States by land, or who shall aid or the same, or aid or abet the landing in the United States ı any vessel, of any Chinese person not lawfully entitled nter the United States, shall be deemed guilty of a mis- eanor, and shall on conviction thereof, be fined a sum not exceeding one ısand dollars, and imprisoned for a term not exceeding year."

Persons aiding or abetting unlawful entry.

Penalty.

* * * * *

ɛt approved July 5, 1884.

* * * * *

ɜC. 9. That the master of any vessel who shall knowingly bring within the ted States on such vessel, and land, or attempt to land, or nit to be landed, any Chinese laborer or other Chinese ɜon, in contravention of the provisions of this act, shall be med guilty of a misdemeanor and, on conviction thereof, shall be punished h a fine of not less than five hundred dollars, nor more n one thousand dollars, in the discretion of the court, for ry Chinese laborer or other Chinese person so brought, l may also be imprisoned for a term of not less than one year, nor more than years, in the discretion of the court.

Violation of act by master of vessel.

Penalty.

ɜC. 10. That the foregoing section shall not apply to the case of any master ose vessel shall come within the jurisdiction of the United tes in distress or under stress of weather, or touching at r port of the United States on its voyage to any foreign t or place. But Chinese laborers or persons on such ves- shall not be permitted to land, except in case of necessity, and must depart h the vessel on leaving port.

Vessel in distress or touching at port.

* * * * *

ıct approved September 13, 1888.

I ACT To prohibit the coming into and to regulate the residence within the Jnited States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of *ıerica in Congress assembled,* That all laws now in force prohibiting and regu- *ng the coming of* Chinese persons, and persons of Chinese descent, into the

United States, and the residence of such persons therein, including six, seven, eight, nine, ten, eleven, thirteen, and fourteen of the "An Act to prohibit the coming of Chinese laborers into the U approved September thirteenth, eighteen hundr eight, be, and the same are hereby, re-enacted, c continued so far as the same are not inconsiste obligations, until otherwise provided by law, a shall also apply to the island territory under the jurisdiction of the U and prohibit the immigration of Chinese laborers, not citizens o States, from such island territory to the mainland territory of the U whether in such island territory at the time of cession or not, and f tion of the island territory of the United States to another portion territory: *Provided, however,* That said laws shall not apply to t Chinese laborers from one island to another island of the same gr islands within the jurisdiction of any State or the District of Alaska sidered a part of the mainland under this section.

Existing laws re-enacted.

* * * *

Act approved April 29, 1902.

* * * *

Those landed for examination are constructively on shipboard.

RULE 12. Every Chinese person permit from a vessel for examination at some place shall be still considered as on shipl finally and lawfully landed, so far as re admission to the United States and so fa to the responsibility of the master, agent, or owner of for his safeguarding, maintenance, and hospital expense

Must give notice of sailings.

RULE 13. The master, agent, or owner sel or other means of transportation by nese persons are brought to any port of e in Rule 4, shall, at least twenty-four h vance thereof, notify the chief officer in charge of the tion of the Chinese exclusion laws at said port of the int of sailing of said vessel or departure of other vehicle th order that the said officer may cause to be placed on bo every Chinese person whose application for permission been finally denied.

* * * *

Landing under bond temporarily of sick persons.

RULE 15. No Chinese person, other t man, will be permitted to land tempor bond, except upon the certificate of a sur Public Health and Marine-Hospital Se such temporary landing is necessitated by the condi health, and with the permission of the Secretary of Con Labor, under such conditions as he shall prescribe.

Landing of seamen under bond.

RULE 16. To prevent violations of law seamen discharged or granted shore lea of the United States, bond with approv in the penalty of $500 for each such seaman shall be exa departure from and out of the United States within thirt

Rejected Chinamen must of necessity be returned to foreign port.

RULE 17. Every Chinese person refu sion to the United States, being actua structively on the vessel or other con which he was brought to a port of entry essarily be returned to the country wher *at the expense* of the transportation agency owning s

veyance, ɜince such vessel or conveyance returns to the port or ɜe at which such Chinese person embarked for the United States.

* * * * *

egulations July 27th, 1903.

TE.—By contract the Canadian Pacific Railway Company, has agreed to be id by all the provisions of the Chinese exclusion laws, so far as the same be applicable, that bind masters, etc., of vessels bringing Chinese passengers aports as to Chinese persons brought by any of its lines who seek entrance the United States across the Canadian boundary.

OFFICERS SUBSTITUTED FOR COLLECTORS OF CUSTOMS.

Officers under control of Commissioner-General of Immigration to be substituted for collectors of customs.

ɜc. 7. * * * That the authority, power and jurisdiction r possessed and exercised by the Secretary of the Treasury virtue of any law in relation to the exclusion from and the dence within the United States, its territories and the Dis- t of Columbia, of Chinese and persons of Chinese descent, hereby transferred to and conferred upon the Secretary of nmerce and Labor, and the authority, power and jurisdiction in relation reto now vested by law or treaty in the collectors of customs and the collectors nternal revenue, are hereby conferred upon and vested in such officers under control of the Commissioner-General of Immigration, as the Secretary of nmerce and Labor may designate therefor.

* * * * *

ct approved February 14, 1903.

* * * * *

RULE 52. Under the authority conferred by section 7 of an act proved *February 14, 1903*, entitled "An act to establish the De- rtment of Commerce and Labor," the authority, power, and juris- *tion in relation to* the exclusion of Chinese persons and persons

of Chinese descent, heretofore vested by law or treaty in collector of customs, have been conferred upon and vested in the following officers under the control of the Commissioner-General of Immigration

Officer in charge.	Station.	Jurisdiction.
Geo. B. Billings	Boston, Mass	Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire, and Vermont.
Wm. E. Howard	New Orleans, La	Louisiana and Mississippi.
Jno. J. S. Rodgers	Philadelphia, Pa	Pennsylvania, New Jersey, and Delaware.
Kazis Kraučzunas	Ketchikan, Alaska	Alaska.
Geo. W. Webb	Tucson, Ariz	Arizona and New Mexico.
L. T. Plummer	Chicago, Ill	Illinois, Kentucky, Tennessee, and Indiana.
H. E. Tippett	Detroit, Mich	Michigan.
W. D. Morse	Minneapolis, Minn	Minnesota and Wisconsin.
Alfred Hampton	Great Falls, Mont	Montana and Idaho.
Isaac H. Marrow	Toledo, Ohio	Ohio.
Louis Adams	El Paso, Tex	Texas.
A. W. Paine	Salt Lake City, Utah	Utah, Nevada, and Wyoming.
James McCabe	Denver, Colo	Colorado, Nebraska, Kansas, Indian Territory, and Oklahoma.
A. J. You	Mobile, Ala	Alabama and Georgia.
Richard K. Campbell	Bureau of Immigration.	Maryland, Virginia, West Virginia, and District of Columbia.
James R. Dunn	St. Louis, Mo	Missouri, Iowa, and Arkansas.
F. W. Berkshire	Brooklyn, N. Y	New York.
J. H. L. Eager	Tampa, Fla	Florida.
Bogi Eyford	Portal, N. Dak	North and South Dakota.
H. H. North	San Francisco, Cal	California.
Thos. M. Fisher	Seattle, Wash	Washington.
J. H. Barbour	Portland, Oreg	Oregon.
J. K. Brown	Honolulu, Hawaii	Hawaii (Territory).
F. V. Martin	San Juan, P. R	Porto Rico.

* * * * *

Regulations, July 27th, 1903.

AUTHORITY AND DUTY OF OFFICERS IN CHARGE.

* * * * *

SEC. 9. That before any Chinese passengers are landed from any such vessel, the ollector or his deputy shall proceed to examine such passen-ers, comparing the certificates with the list and with the pas-ngers, and no passenger shall be allowed to land in the nited States from such vessel in violation of law.

Examination of passengers.

* * * * *

Act approved May 6, 1882.

* * * * *

SEC. 12. That no Chinese person shall be permitted to enter e United States by land without producing to the proper ficer of customs the certificate required in this act of Chi-se persons seeking to land from a vessel.

Must require certificate from Chinese person seeking entry by land.

* * * * *

Act approved July 5, 1884.

* * * * *

SEC. 7. That a Chinese person claiming the right to be per-itted to leave the United States and return thereto on any the grounds stated in the foregoing section, shall apply to e collector of customs of the district from which he wishes to depart at least a onth prior to the time of his departure, and shall make on oath before the said llector a full statement descriptive of his family, or property, or debts, as the se may be, and shall furnish to said collector such proof of the facts entitling m to return as shall be required by the rules and regulations prescribed from me to time by the Secretary of the Treasury, and for any false swearing in lation thereto he shall incur the penalties of perjury.

Identification of returning laborer.

He shall also permit the collector to take a full description of his person, which escription the collector shall retain and mark with a number.

And if the collector, after hearing the proofs and investigat-ig all the circumstances of the case, shall decide to issue a ertificate of return, he shall at such time and place as he may esignate, sign and give to the person applying a certificate containing the num-er of the description last aforesaid, which shall be the sole evidence given to ach person of his right to return.

May give certificate.

If this last-named certificate be transferred, it shall become oid, and the person to whom it was given shall forfeit his ight to return to the United States.

—not to be transferred.

The right to return under the said certificate shall be lim-ted to one year; but it may be extended for an additional eriod, not to exceed a year, in cases where, by reason of ickness or other cause of disability beyond his control, the older thereof shall be rendered unable sooner to return, hich facts shall be fully reported to and investigated by the onsular representative of the United States at the port or lace from which such laborer departs for the United States, nd certified by such representative of the United States to he satisfaction of the collector of customs at the port where such Chinese person hall seek to land in the United States, such certificate to be delivered by said epresentative to the master of the vessel on which he departs for the United tates.

Limitation.

—extension in case of sickness or disability.

Certificate of sickness or disability.

Return certificate indispensable.

Laborer to be admitted only at port from which he departed.

And no Chinese laborer shall be permitted to re-enter the United States without producing to the proper officer of the customs at the port of such entry the return certificate herein required. A Chinese laborer possessing a certificate under this section shall be admitted to the United States only at the port from which he departed therefrom.

* * * * *

Act approved September 13, 1888.

Be it enacted, etc.,

* * * * *

Finality of decision.

In every case where an alien is excluded from admission into the United States under any law or treaty now existing or hereafter made, the decision of the appropriate immigration or customs officers, if adverse to the admission of such alien, shall be final unless reversed on appeal to the Secretary of the Treasury.

* * * * *

Approved, August 18, 1894.

* * * * *

Must examine Chinese under immigration laws.

RULE 3. Chinese aliens shall be examined as to their right to admission to the United States under the provisions of the laws regulating immigration as well as the laws in relation to the exclusion of Chinese persons.

(See Op. Atty. General, June 24, 1903.)

* * * * *

To isolate and examine Chinese promptly.

RULE 6. Immediately upon the arrival of Chinese persons at any port mentioned in Rule 4, it shall be the duty of the officer in charge of the administration of the Chinese exclusion laws to adopt suitable means to prevent communication with them by any persons other than officials under his control, to have said Chinese persons examined promptly, as by law provided, touching their right to admission and to permit those proving such right to land.

Examination must be private.

RULE 7. The examination prescribed in Rule 6 should be separate and apart from the public, in the presence of Government officials and such witness or witnesses only as the examining officer shall designate, and if upon the conclusion thereof, the Chinese applicant for admission is adjudged to be inadmissible, he should be advised of his right of appeal and his counsel should be permitted, after duly filing notice of appeal, to examine, but not make copies of, the evidence upon which the excluding decision is based.

To permit examination of evidence if appeal is taken.

RULE 8. Every Chinese person refused admission under the provisions of the exclusion laws by the decision of the officer in charge at the port of entry must, if he shall elect to take an appeal to the Secretary, give written notice thereof to said officer within two days after such decision is rendered.

To give notice of appeal—when.

RULE 9. Notice of appeal provided for in Rule 8 shall act as a stay upon the disposal of the Chinese person whose case is then

ıtil a final decision is rendered by the Secretary; and, ;e days after the filing of such notice, unless further delay to investigate and report upon new evi- :omplete record of the case, together with , affidavits, and statements as are to be in connection therewith, shall be for- the Commissioner-General of Immigra- : officer in charge at the port of arrival, ;d by his views thereon in writing, but on such appeal e will be considered that has not been made the subject ıtion and report by the said officer in charge.

To forward evidence to Commissioner-General when appeal is taken.

Additional time for the preparation of the expiration of three days next suc- : filing of notice of appeal will be allowed :se instances in which, in the judgment cer in charge, a literal compliance with Rule 9 would oc- stice to the appellant or the risk of defeat of the pur- e law, and the reasons for delay beyond the time pre- ıll in every instance be stated in writing in the papers to the Commissioner-General of Immigration.

When additional time is to be allowed.

Every officer in charge of the enforce- : Chinese exclusion laws at a port of entry to be kept in books, to be furnished by the Immigration, complete records of every rson arriving thereat, synopses of which shall be for- on appropriate blanks not later than the tenth day of lar month for the next preceding month, to the Com- General of Immigration, as also weekly reports upon : furnished by the Bureau of Immigration.

To keep records and make monthly reports thereof.

* * * *

The master, agent, or owner of any :her means of transportation by which rsons are brought to any port of entry tule 4 shall, at least twenty-four hours in ereof, notify the chief officer in charge of the administra- Chinese exclusion laws at said port, of the intended time f said vessel or departure of other vehicle therefrom, in the said officer may cause to be placed on board thereof ese person whose application for permission to land has y denied.

To place on board vessel those finally excluded.

Every Chinese person seeking permis- l for the purpose of passing through the :es to a foreign destination must comply ·ovisions of Department Circular No. 163 er 8, 1900, and if found, in the judgment of the chief ıarge at the port of arrival, to be seeking the privilege of ı an ulterior purpose of gaining an unlawful access to the :es, shall be refused permission to land.

To refuse privilege of transit, when.

No Chinese person, other than a sea- ɔe permitted to land temporarily under ɔt upon the certificate of a surgeon of the ılth and Marine-Hospital Service that such temporary *necessitated by* the condition of his health, and with the *of the Secretary* of Commerce and Labor under such *; he shall* prescribe.

To land under bond, when.

To require bond of Chinese seamen on shore leave.

RULE 16. To prevent violations of law by C seamen discharged or granted shore leave a of the United States, bond with approved s in the penalty of $500 for each such seamar be exacted for his departure from and out of the United within thirty days.

* * * *

RULE 21. The burden of proof in all cases rests upon Chine sons claiming the right of admission to, or residence with United States, to establish such right affirmatively and satisfa to the appropriate Government officers, and in no case in whi law prescribes the nature of the evidence to establish suc shall other evidence be accepted in lieu thereof, and, in doubtful case, the benefit of the doubt shall be given by ac trative officers to the United States Government.

When copy of court record is to be received as conclusive.

RULE 22. No authenticated copy of a judici ing that a Chinese person was born in the States shall be accepted as conclusive in favo person presenting it, unless he be completel tified as the person to whom it purports to r

To retain certificates and other evidence.

RULE 23. All certificates, or other evidence, offered by C persons to establish their right of admission to the United other than laborers' registration certificates, s retained by the officers in charge of the admi tion of the Chinese exclusion laws at ports of the immunity from arrest of the Chinese p admitted thereon resting upon their exclusive occupation pursuits for which their certificates, or other evidence, clai they respectively seek admission to the United States.

* * * *

Nature of evidence to be required of wife and minor child of merchant.

RULE 25. The Supreme Court having decid the lawful wife and minor children of a C merchant may be admitted to the United without presenting the certificate prescribed tion 6 of the act approved July 5, 1884, the tion of administrative officers is directed nature of the evidence required by section 2 of the act ap November 3, 1893, to establish the right of a domiciled C merchant to readmission after temporary absence from the States, and the said officers are directed to require such evid will give reasonable assurance that every Chinese applica admission as the lawful wife or minor child of a resident C merchant sustains the actual relationship claimed to such mer and, in the case of a child, that such child is beyond que minor.

* * * *

Omissions from *certificate destroy its value.*

RULE 28. The omission from a certificat scribed by section 6 of the act approved J 1884, of any of the information required b section is fatal to the sufficiency of such cer *as evidence of* the right of the person to whom issued to e *United States.*

To require of returning merchants, what evidence.

:hinese persons applying for admission
ɔund of having been domiciled in the
s as merchants shall be required to
a reasonable certainty, that they are
ıers of the business claimed or members of the firm
business, with proof of the amounts actually paid for
ive interests, the times at which such payments were
residents of the United States during the period of
whether they failed to register and, if so, the reason

To transmit, with appeals, to the Commissioner-General, what.

Vith the papers on appeal from a de-
chief officer in charge at a port of entry
be transmitted to the Commissioner-
Immigration all the evidence bearing
ıse appealed, including the evidence
:ordance with the treaty and laws by returning Chinese
ɔ have remained out of the United States for a period
xcess of one year from the date of their departure to
e delay was occasioned by their sickness or some other
ɔility beyond their control.

* * * *

To require what evidence of student.

In considering evidence touching the
nese student to enter the United States,
'e officers should be governed by the
e Solicitor of the Treasury Department (of June 15, 1900)
e student within the intention of the treaty of December
ɔf the laws, is "a person who intends to pursue some of
ranches of study, or one who seeks to be fitted for some
ɔfession or occupation for which facilities of study are
in his own country; one for whose support and main-
ıis country, as a student, provision has been made, and
ɔmpletion of his studies, expects to return to China."

May make preliminary examination of merchants' status and certify, what.

:very Chinese merchant resident within
:ates who desires to go abroad tempora-
unnecessary delay in securing admission
ırn, may transmit to the chief officer in
e intended port of departure, not less
lays prior thereto, affidavits of two credible witnesses,
'hinese, showing said merchant's actual ownership, in
ɔart, of an established mercantile business in this coun-
unt of his interest therein, the nature of his personal
in conducting said business, and that during the entire
ɔnt to the date of such affidavits he engaged in no manual
such as was necessarily incident to the conduct of said
, after a thorough investigation, said officer is satisfied of
the statements contained in the above-mentioned affi-
ıy indorse thereon over his signature his finding to that
d with a statement that the said Chinese merchant will
ırn to the port of departure and proper identification
to enter the United States, unless some of said state-
l subsequently be shown to be false; provided, however,
:rchant still retains unchanged the mercantile interest
m at the time of his departure.

Or an examination after merchant's departur

As an additional means of securing
upon the case of every Chinese per-
dmission as a returning merchant, as
e him the risk of a possibly fruitless

voyage, the chief officer shall, at the time of departure of every such Chinese person, whose case has not already been investigated under Rule 33, furnish him with the following notice (properly filled out) and attached form of letter for his use in sending notification of his intended return:

——.

OFFICE OF ——— ———,
PORT OF ——— ———,
(Date) ——— ——.

Notice to departing merchant.

SIR: In accordance with Rule 34 of Regulations issued by the Secretary of Commerce and Labor on the 27th day of July, 1903, you are hereby notified that, in order to avoid as far as possible the risk of making an unnecessary trip, which would result from a failure to establish your right to admission, you should, at least ninety days and not exceeding four months prior to your intended arrival at this port, notify the undersigned officer of your intention to return, the approximate date thereof, giving your name and foreign address and a statement of your claims to the right of admission, on the subjoined blank. You may now or within the time above mentioned submit the evidence required by law to establish your mercantile status. The said claims will on receipt of such notice be promptly investigated, and a formal notification of the result of such investigation will be sent to you at the address given. This decision is not final, and you are not precluded, if such result is adverse, from obtaining upon your arrival at a port of the United States a further investigation of your claims.

Respectfully,

(Name of officer) ——— ———,
(Title of officer) ——— ———.

(Address) ——— ———,
(Date) ——— ——.

CHIEF OFFICER IN CHARGE ENFORCEMENT CHINESE-EXCLUSION LAWS,
Port of ——— ———.

Merchant's request for investigation of case before his return.

SIR: In compliance with the above notification, delivered to me prior to my departure from the United States, you are informed that I intend to return thereto, through your port per ———, on or about ——— ——, 190—.

I departed from the United States on the steamship ———, which sailed from your port on ——— ——, 190—.

I have filed with you the evidence requred by law to support my claim of right to readmission. I am a merchant and member (or proprietor) of the store of ——— at ———, in which my interest was and still remains $———.

I respectfully request that my claim be preinvestigated, and that I may be notified before ——— ——, 190—, at the above address, whether I will be permitted to reenter the United States, and if so upon what condition.

Respectfully,

(Name) ——— ———.

To admit on return, under what conditions.

Upon the receipt of such notification the chief officer in charge shall make, or cause to be made, a thorough investigation of the claim therein made, and send due notice of his conclusions in regard thereto to the applicant, who, upon arrival, shall establish his identity with the sender of the notification and submit such additional evidence as may be necessary to prove his right to admission. If the evidence previously secured shall establish the right of such applicant to admission, and is not controverted, then he shall be

hout delay, but otherwise he shall be refused admission
l establish his right thereto.

Notice to departing laborers.

Every departing Chinese laborer who
nished with a return certificate under
s of section 7 of the act approved Sep-
88, must be informed by the officer by whom such cer-
nted that upon his return to the port of departure, as
e to admission, there must exist one of the grounds
rticle II of the convention of December 8, 1894, to
admission after a temporary absence from the United

To furnish departing laborers.

The officer issuing a return certificate to
aborer shall at the time of such issu-
said laborer with the following notice
ed out) and attached form of letter for his use in send-
on of his intended return:

OFFICE OF —— ——,
PORT OF —— ——,
(Date) —— ——, 19—.

lance with Rule 36 of Regulations issued by the Secretary of
Labor on the July 27th, 1903, you are hereby informed that, in order
of a possibly fruitless voyage, you should, at

Written information and.

ys and not exceeding four months prior to
eturn to this port, notify the undersigned offi-
oximate date of such return, giving your name and foreign
subjoined blank form, and stating the ground or grounds on
n the right to admission to the United States, as well as the occa-
ay, if there has been such delay in returning, beyond one year
f your departure. An investigation of your case will, on receipt
tion be promptly made, and you will be formally advised of the
y a letter sent to the foreign address given.
lly,

(Name of officer) —— ——,
(Title of officer) —— ——.

(Address) —— ——,
(Date) —— ——.

IN CHARGE ENFORCEMENT CHINESE-EXCLUSION LAWS,
Port of —— ——.

Form of notice of return and request for investigation before return.

liance with the above notification, delivered
y departure from the United States, you are
intend to return thereto through your port, per
-, on or about —— ——, 190—.
l return certificate No. ——, dated —— ——
ted from your port, per steamship ——, on —— ——, 190—.
ght of admission because I have in the United States (either):
ed —— ——; or mother, named —— ——, residing at ——;
dren), named —— ——; a lawful wife, named —— ——,
—, to whom I was married on the —— day of ——, and with
ntinuously cohabited since the said marriage.
property, of the clear, unencumbered value of $——.
bona fide debts due me and pending settlement and not evidenced

by promissory notes or other similar acknowledgments of ascertained liab
and not colorably acquired for the purpose of evading the law:

Due from ——— ———, $———.

Due from ——— ———, $———.

Address of debtors, ———.

I respectfully request that my claims be preinvestigated, and that I may
notified at the above address before ——— ———, 190—, whether I will be permi
to reenter the United States.

I was delayed —— days —— months beyond the year after my departure
———, and will submit the evidence thereof required by the law and regulati

Respectfully,

(Name) ——— ———

After such investigation laborers may be admitted, conditionally.

RULE 37. Upon the arrival of any registered C
nese laborer at a port of the United States, he sh
exhibit his return certificate to the chief office
charge of the enforcement of the Chinese-exclu
laws at said port, and if the evidence already secu
in such a case establishes the right of such a returning Chi
laborer to admission and is not controverted, then he should
admitted without delay, but otherwise he shall be refused admis
until he establishes his right thereto.

To require proof of laborers' claims.

RULE 38. Administrative officers are hereby
quired, in accordance with section 7 of the act
September 13, 1888, to exact of every registered C
nese laborer applying for a return certificate, not merely a st
ment of the ground or grounds on which such laborer claim
right thereto, but also proofs of the existence of such ground
grounds, either in the form of oral or of written testimony in de
by not less than two credible witnesses, who shall satisfy such offic
that they have had opportunity to know the circumstances to wh
they testify. Until such proof is supplied the investigation preli
inary to granting or refusing the return certificate sought shall n
be made.

Disposition of residence and of return certificates.

RULE 39. If a returning Chinese laborer is adm
ted, his certificate of residence, which must ha
been left with the officer who granted him a retu
certificate, shall be returned to him and the s
return certificate be taken up. After indorsing upon such retu
certificate his action in the case and the date thereof, the chief of
cer in charge shall forward it to the Commissioner-General of Imm
gration, accompanied, if the Chinese applicant is denied admissio
by said laborer's certificate of residence.

Transits.

RULE 40. Every Chinese person claiming the pri
ilege of transit through the United States to forei
territory under the provisions of Article III of th
convention of December 8, 1894, shall, as a condition precedent t
being allowed such privilege, comply with the following requir
ments:

To submit what evidence of good faith.

(*a*) The applicant shall be required to produce t
the chief officer in charge of the enforcement of th
Chinese-exclusion laws at the port of arrival a pr
paid, through ticket across the whole territory
the United States, land or water, intended to be traversed (and
his alleged foreign destination according to the manifest of the v
sel on which he arrives), and such other reasonable proof as

equired of him to satisfy the said officer that a bona fide transit is intended, and that the applicant does not seek the foreign ination named by him with an ulterior purpose of thereby gain- access to the United States in violation of law; and such ticket other evidence in writing presented by the applicant must be amped, or marked, and dated by the said officer or his deputy prevent their use a second time; but no such applicant shall onsidered as intending in good faith to make such transit only e has already, on same arrival, made application for and been ied admission to the United States.

) The applicant in such case, or some responsi- person in his behalf, or the transportation com- y whose through ticket he holds, shall furnish ie said chief officer in charge a good and suffi- t bond in the penal sum of ($500) five hundred dollars condi- ed for applicant's continuous transit through and actual depar- from the United States within a reasonable time, not exceeding ıy instance twenty days from the date upon which said privilege ınted; but the said bond shall not be required of any such ap- nt who remains on shipboard for transit through the water ter- y of the United States, or who is transferred from one vessel to ıer vessel in a port of the United States for a similar transit, s the vessel on which said applicant departs may touch at ıer port of the United States on the way to its foreign port or nation.

To require bond of transits except—when.

The applicant in every such case shall furnish d chief officer in charge, to be taken as directed id officer, a photograph of himself in triplicate shall submit, if he is not a member of one of lasses exempted in Article III of the treaty of mber 8, 1894, to the physical examination of his person red by the Bertillon system of identification.

To require photograph in triplicate and measure by Bertillon system.

LE 41. The chief officer in charge of the enforce- of the Chinese-exclusion laws at the port of al shall prepare a descriptive list, to which one ıe photographs required by Rule 40 (*c*) shall be attached, ıd in book form for file in his office, containing as to each ese applicant for the privilege of passing through the United s to foreign territory, the following information: Name, age, last place of residence, and the data, referred to therein by ıumber, required for his identification. To the descriptive list there shall be attached a dated signed statement by the said chief officer in ge that applicant has complied with all the provisions of Rule ınd that being assured of applicant's good faith the privilege of sit under bond has been accorded him.

To prepare descriptive lists of transits.

List to contain what.

ULE 42. Two copies of the bound descriptive list ıired by Rule 41 shall be prepared by the chief er in charge, on detached blanks corresponding orm with the said bound discriptive list, to each which shall be attached one of the photographs ıired by Rule 40 (*c*), and upon both of said photographs, as well n the one attached to said bound list, shall be stamped the seal *he said chief officer* in charge so placed as not to cover any part *ie face. One of* said copies shall be forwarded by the first mail *it is prepared* to the officer in charge of the intended port o

To make two copies of list and dispose of them—how.

exit and the remaining one shall be given to the conductor of train, or to the captain of the vessel, by which the Chinese pe to whom they relate is carried, for delivery to the said officer at port of exit.

RULE 43. One of the copies described in Rule 42 shall be retai by the officer in charge at the port of exit for his files, and other, after an indorsement has been made thereon, duly sig and dated, to the effect that the Chinese person named therein been identified and has departed from the United States, shal returned by mail to the officer by whom it was prepared, an

To cancel bond—when.

receipt by him, duly executed as herein requi shall be his authority for cancellation of the b given on behalf of the Chinese person, as prov in Rule 40 (*b*), to whom said descriptive list refers.

To admit Chinese to take part in expositions.

RULE 44. Every Chinese person seeking ad sion to the United States under the provision section 3 of the act approved April 29, 1902, for purpose of taking part in any fair or exhibition thorized by act of Congress, shall, as a condition precedent to s admission, comply with the following conditions, and offi charged with the enforcement of the Chinese-exclusion laws s likewise, so far as action on their part is required, conform the This rule takes the place of Treasury Department circular N Bureau of Immigration, dated January 7, 1903.

If holder of privilege, etc.

(*a*) Every such person shall furnish to the of in charge of the enforcement of the Chinese-exclu laws at the port of entry satisfactory evidence he is a holder of a privilege from the officers of said expositio an employee of a holder of such a privilege, engaged to take therein.

To require photograph in triplicate.

(*b*) He shall furnish to the said officer in ch at the port of entry a photograph of himsel triplicate, and shall submit to such examinatio may be deemed necessary to insure his identificat

To require these conditions.

(*c*) He shall, if admitted, proceed immediat by direct and continuous travel, to the said exp tion, wherever located, remain there during his in the United States, engage while there solely in the occupa for which he was admitted, return within thirty days after the c of said exposition by direct and continuous travel to the po which he was admitted, and thence depart, by the first vessel ing thereafter, to China or to the country of which he is a citize subject.

To require bond.

(*d*) He shall furnish to the United States of in charge by whom he is admitted a bond of $ with a responsible bonding and surety compan surety, conditioned for his immediate departure to said exposi grounds, his constant attendance and employment at said grou and his departure from the United States, all in accordance the next preceding regulation.

Merchants not to give bond, etc., under what conditions.

(*e*) The requirements of the next preceding agraph (*d*), as well as of paragraphs (*i*) and hereinafter, shall not apply to Chinese merch seeking admission to make a display of their g at such exhibition, who shall be permitted to

resentation of a certificate to the foregoing effect, issued by overnment and viséd by the United States consular or dip- officer at the port of departure.

To keep record in duplicate.

The following form of record shall be kept icate by the officer in charge at the port of on of all Chinese persons admitted in accord- th these regulations, the original to be kept on file at said d the duplicate to be forwarded to the Bureau of Immigra- epartment of Commerce and Labor.

[Form of Chinese record.]

Chinese employee's record of admission.

Form of record.

TMENT OF COM-
E AND LABOR.

OF IMMIGRATION.

of record, ——.
—— ——.
——.
ved by —— ——,
an exhibitor at
.
admitted, ——

ttach photograph
uplicate and orig-

No.—.
U. S. IMMIGRATION SERVICE,
Port of —— ——,
—— ——.

THIS IS TO CERTIFY, That —— ——, a native of ——, who is duly accredited as an employee of —— ——, of ——, an exhibitor at the ——, U. S. A., has been permitted to enter the United States as such employee (or exhibitor) in pursuance of an act of Congress approved April 29, 1902.

(Name of officer) —— ——,
(Title of officer) —— ——.

(Duplicate to be forwarded to Commissioner-General of Immigration.)

Record to be kept by officers at exposition.

n officer, or officers if necessary, will be ted to remain at the grounds of said exposi- ose duty it shall be to keep, in duplicate, d, in the following form (unless hereafter d), of every Chinese person admitted under these rules and ons to take part in said exposition:

[Form of report.]

Form of report.

—.

o attach photo-
)

Name of employee or exhibitor,
—— ——.
Sex, ——.
Age, ——.
Name of exhibitor by whom employed, —— ——.
Character of work to be done in connection with exhibition, ——.
What hours and how many per diem employed, ——.
Time of arrival at exhibition grounds, ——.
Time of departure from exhibition grounds, ——.
—— ——.
[Signature of Chinese employee or exhibitor.]
[Signature of officer or officers.]
—— ——.

(Duplicate to be forwarded to Commissioner-General of Immigration.)

Said officeror officers shall also have such supervision over eve such Chinese person and such duties in relation to them as authorized by law and these rules and regulations, and instructi issued thereunder.

To send one photograph to officer at exposition.

(*h*) That one of the photographs provided for paragraph (*b*) hereinbefore shall be sent by the o cer at the port of arrival at which any such Chin person is admitted to the officer or officers provid for in paragraph (*g*) of these regulations, who shall attach said p tograph to the form of report prescribed, using it as a means of id tification of the person whose portrait it is.

Leaves of absence from exposition.

(*i*) Should any such Chinese person desire to le the grounds of said exposition temporarily, he m apply to the officer provided for in paragraph hereof, who may issue to him a dated card, giv his name and other particulars for his identification, and stat that he is permitted to absent himself from said grounds not lon than forty-eight hours from the date of said card, which shall, up his return within the specified time, be delivered to said officer canceled.

Absence from exposition beyond permitted time.

(*j*) All Chinese persons holding such cards who fail to retu within the specified period shall be deemed to unlawfully within the United States and the bo given on their behalf shall be forfeited and su person shall be deported. The officer designat to issue said cards shall promptly notify the Commissioner-Gene of Immigration of the absence, in violation of these regulations, any Chinese person, in order that the penalty of the bond given his behalf shall be collected and such Chinese person deported.

To make reports of those who depart within thirty days after exposition closes.

(*k*) Immediately after the expiration of the thirty days followi the close of said exposition, the officers at the ports of arrival which any such Chinese person is admitted directed to report to the Commissioner-Gene of Immigration the total number, together wi names, etc., of the Chinese persons who were a mitted at their ports, respectively, for the purpo stated, and the numbers and names of those wh have been properly identified and permitted to depart in accor ance with these regulations.

RULE 45. With a view to assisting in the decision of the cases alleged Chinese merchants applying for admission to the Unit States as such, the following instructions are promulgated for th guidance of all officers called upon to investigate the character establishments in which such applicants claim to have an active financial interest, to wit:

To take photographs of mercantile establishments.

When.

(*a*) In every case when investigation shows that the alleged me cantile establishment has operated in connection with it a laundry restaurant, gambling establishment, or other nonmercantile bus ness, or where there is anything to indicate th such establishment is in fact different from th which is claimed, it is directed that photograph be taken of the room or rooms occupied by the firm and, if necessary, a view of the front or rear of the *building*, or both.

photographs should be of a size not less than 5 by 7 nore than 8 by 10 inches, and should be ch manner as to clearly show the real the business reported upon.

Size, etc., of of photographs.

ost of each photograph shall include three unmounted eof, together with the original negative. The latter aken in charge by the officer making the investigation, carefully preserved, subject to the orders artment. If subsequently ordered sent negatives should be carefully packed in es with excelsior filling, and should be beled and shipped by express (never by mail) with rks upon the exterior of package to insure care of the

Cost and shipment of photograph.

print of each photograph should be h the negative, the remaining two prints ny the report of investigation sent to the originally desired the inquiry made.

Disposition of prints.

should be taken to avoid excessive photographers, but reasonable expense ice will be allowed upon request made au of Immigration, Department of Commerce and Labor, to be paid from the appropriation "Enforcement Chi- ion Acts." Receipt of photographer will be required as er in each instance.

Cost of, how payable.

* * * *

ns July 27th, 1903.

* * * *

d by the Senate and House of Representatives of the United States of ngress assembled, That all laws now in force prohibiting and regu- ning of Chinese persons, and persons of Chinese descent, into the and the residence of such persons therein, including sections five, ht, nine, ten, eleven, thirteen, and fourteen of the Act entitled "An t the coming of Chinese laborers into the United States," approved irteenth, eighteen hundred and eighty-eight, be, and the same are acted, extended, and continued so far as the inconsistent with treaty obligations, until other- l by law, and said laws shall also apply to the ry under the jurisdiction of the United States, the immigration of Chinese laborers, not citi- nited States, from such island territory to the ritory of the United States, whether in such y at the time of cession or not, and from one portion of the island e United States to another portion of said island territory: *Pro-* , That said laws shall not apply to the transit of Chinese laborers d to another island of the same group; and any islands within the f any State or the District of Alaska shall be considered a part of under this section.

To enforce law as to Chinese coming from insular territory, except as to those going from one to another island of same group.

* * * *

ed April 29, 1902.

* * * *

RULE 46. The provisions of the laws regulating immigration, cluding those which prescribe payment of the head tax, appl the residents and natives of Porto Rico and the Philippine Isla and, moreover, the provisions of the laws rela to the exclusion of Chinese apply to all such per as are of the Chinese race, except those who born in the United States. The citizens and r dents of said islands, therefore, should be admit to the United States upon the same conditions, except as to p ment of the head tax provided for in section 1 of the act appro March 3, 1903, and subject to the same examinations as are enfor against people from countries over which the United States cla no right of sovereignty whatever.

No payment of head tax on Chinese aliens from insular possessions.

* * * * *

To issue no paper to Chinese persons except those provided for.

RULE 49. Officers in charge of the enforcement the Chinese exclusion law shall not issue any c tificate, letter, or other document, or any duplic thereof, other than those provided for by law these regulations, setting forth the status of a C nese person as a resident of this country, or otherwise indors such person.

To make Bertillon record of laborers.

RULE 50. It shall be the duty of the officer charge at the port of entry to register and mak Bertillon record of all Chinese laborers arriving or departing from said port, which record sh show the individual, family, and tribal name, age, occupatio when and where followed, last place of residence, physical peculi ities, and such other pertinent information as may assist in t identification or investigation of such person in case of his retur ing to the United States. A duplicate of the record of such regist shall be transmitted to the Commissioner-General of Immigrati for each such vessel or railway train.

To address Commissioner-General of Immigration or Secretary of Commerce and Labor on official business.

RULE 51. Officers employed in the administ tion of the immigration and Chinese exclusion la are notified that all communications to the Depa ment upon official matters must be addressed the Commissioner-General of Immigration or to t Secretary of Commerce and Labor.

* * * * *

To cancel section 6 certificates.

RULE 53. The certificates prescribed by section of the act of July 5, 1884, on which Chinese of th exempt class were admitted to the United Stat should be canceled by officers in charge by writing across the fac thereof in red ink the fact of the admission and the date thereof.

To require evidence of the kind of work done by returning merchant.

RULE 54. In the enforcement of the provisions o section 2 of the act of November 3, 1893, relating t the application for admission of alleged returnin Chinese merchants, it will not be enough to hav witnesses testify that an applicant for at least on year before his departure from the United State was not engaged in the performance of any manual labor excep such as was necessary in the conduct of his business as such me

nt, but the testimony should show specifically the kind of work Chinaman has done during the entire year, and, after detailing character of such work, should say that he has not performed other labor than that specifically set forth. (S. 21039.)

RULE 55. A Chinese person claiming the right to permitted to leave the United States and return reto as a duly registered laborer shall apply in son to the officer in charge of the district in ich he resides at least a month prior to the time his departure, shall deposit with said officer a tificate of registration from the internal-revenue lector for the district in which he resided at the time of registra-n, and shall make, on oath, before the officer in charge, in writ-, a full statement descriptive of his family, or property, or debts, the case may be, and fully describing himself, giving his age, me, height, local residence, occupation, color of eyes and com-xion, and distinguishing marks, if any, and naming the port m which he expects to depart from the United States, which all be one of those designated in Rule 4. Such written descrip-n shall be filed in duplicate, and to each shall be permanently tached a photograph of the Chinese person referred to therein. e officer in charge, or his deputy, with whom such certificate of gistration and written description are filed, will make a thorough amination to ascertain whether the applicant is registered, and to the accuracy of the descriptive statement; that the photograph companying the latter for the purpose of identification is that of e person described in such certificate and statements, and that is height, weight, and descriptive physical marks are accu-tely given, and will then write his official signature in part ross such photograph and in part upon the adjoining por-on of the written descriptive statement, to prevent substitu-on. The said officer in charge will then transmit the certifi-ate of registration to the Commissioner-General of Immigration, r comparison with the record thereof in his office, in respect not nly to name and date therein, but in all other particulars. At the ame time the said officer in charge will, in person or through an nmigrant or Chinese inspector, make thorough investigation as to he facts stated therein. As soon as practicable thereafter the said fficer in charge will transmit such registration certificate, one copy f the sworn statement, and the reports of investigation to the fficer in charge of the district from which such Chinese laborer ntends to depart from the United States, and at the same time will ransmit to said Chinese laborer the duplicate copy of such sworn tatement, with instructions to present the same in person to the fficer in charge at the port of departure. Upon the receipt of such ertificate of registration, the duplicate copies of said sworn state-nent, and the reports of investigation, the officer in charge or his eputy at said port of departure, after one month from the date of filing of the original application in the office of the officer in charge of the district in which said Chinese laborer resides, if he finds that the person presenting such duplicate statement is the Chinese person therein described, and is entitled thereto, may sign and give to such person, on his departure from said port,

Chinese laborer's application for return certificate to be investigated by officer in charge of district of residence.

Officer in charge at port of departure may give laborer return certificate, when.

a certificate containing the number of the description referred to in the following form:

No. ——. UNITED STATES OF AMERICA.

Form of return certificate.

Certificate issued to Chinese laborer departing from the United States with the intention of returning thereto under the treaty between the United States of America and the Empire of China signed March 17, 1894, and proclaimed by the President of the United States December 8, 1894.

This is to certify that —— ——, a Chinese laborer, described in identification paper numbered ——, port of ——, departed from this port for —— on the —— day of ——, 190—, with the intention of returning to the United States via this port within twelve months from said date.

Given under my hand and seal this —— day of ——, 190—, at ——, State of ——.

[SEAL.]

——— ———,
Officer in Charge, Port of ——, *District of* ——.

Void if transferred.

If the last-named certificate be transferred, it shall become void, and the person to whom it was given by the officer in charge shall forfeit his right to return to the United States.

To preserve certified description.

The certified description should be carefully preserved by the officer in charge at the port of exit as a means of identification of the Chinese person therein mentioned, and who, in order to avail himself of the privilege conferred by said article 2 of the treaty, must return via the port of departure within one year from the date of his leaving the United States, unless prevented by sickness or other disability beyond his control.

To send copy to Commissioner-General of Immigration.

RULE 56. The officer in charge at the port of departure shall send a copy of the certified description, with photograph of the person therein named attached, and also one of the stubs hereinafter referred to, to the Commissioner-General of Immigration; said stub and said copy of the certified description shall be filed together.

Certificates as above described, with a serial number attached, will be issued to officers in charge at ports from which Chinese depart upon application therefor to the Commissioner-General of Immigration. In all instances, officers in charge will fill out the blanks on the stubs of the certificates. Officers in charge will submit reports to the Commissioner-General of Immigration weekly of Chinese persons departing from and returning to their respective ports, debiting themselves with the number of certificates received from the Department, crediting themselves with the number used, and reporting the number remaining on hand. The officers in charge shall cancel all certificates presented on admission of returning Chinese and forward said certificates so canceled to the Commissioner-General of Immigration.

To fill out stubs of certificates.

To make weekly reports of Chinese laborers passing through ports.

* * * * *

Regulations July 27th, 1903.

CERS SUBSTITUTED FOR COLLECTORS OF INTERNAL REVENUE.

* * * *

* * * That the authority, power and jurisdiction essed and exercised by the Secretary of the Treasury of any law in relation to the exclusion from and the within the United States, its territories and the Dis- olumbia, of Chinese and persons of Chinese descent, by transferred to and conferred upon the Secretary of Commerce and ıd the authority, power and jurisdiction in relation thereto now vested treaty in the collectors of customs and the collectors of internal revenue, by conferred upon and vested in such officers under the control of the ioner-General of Immigration, as the Secretary of Commerce and Labor gnate therefor.

To be designated by the Secretary of Commerce and Labor.

* * * *

proved February 14, 1903.

* * * *

60. The authority, power, and jurisdiction in to the registration of Chinese lawfully resi- the United States, heretofore vested by law ctors of internal revenue, are hereby transferred to and con- ıpon H. L. Pittinger, Chinese inspector, Bureau of Immigra- ashington, D. C.

Officer designated.

* * * *

lations July 27th, 1903.

* * * *

Registration of resident laborers.

SEC. 6. And it shall be the duty of all Chi within the limits of the United States at the tin sage of this act, and who are entitled to remain States, to apply to the collector of internal rev respective districts, within one year after the passage of this act, fo of residence. * * *

* * * *

Act approved May 5, 1892.

Be it enacted by the Senate and House of Representatives of the U America in Congress assembled, That section six of an act entitle prohibit the coming of Chinese persons into the United States," a fifth, eighteen hundred and ninety-two, is hereby amended so follows:

Resident laborers must register.

"SEC. 6. And it shall be the duty of all Chi within the limits of the United States who are main in the United States before the passage which this is an amendment to apply to the collector of internal rev respective districts within six months after the passage of this act fo of residence; and any Chinese laborer within the limits of the Unit shall neglect, fail, or refuse to comply with the provisions of this ac to which this is an amendment, or who, after the expiration of sai shall be found within the jurisdiction of the United States withou

Arrest.

cate of residence, shall be deemed and adjudg lawfully within the United States, and may b any United States customs official, collector of enue or his deputies, United States marshal or his deputies, and ta

Deportation.

United States judge, whose duty it shall be to ord deported from the United States, as provided in in the act to which this is an amendment, un

Excuses.

establish clearly to the satisfaction of said judg son of accident, sickness, or other unavoidable been unable to procure his certificate, and to the satisfaction of States judge, and by at least one credible witness other than Chi was a resident of the United States on the fifth of May, eighteen ninety-two; and if, upon the hearing, it shall appear that he is so certificate, it shall be granted upon his paying the cost.

Loss of certificates.

Should it appear that said Chinaman had proc cate which has been lost or destroyed, he shall and judgment suspended a reasonable time to e procure a duplicate from the officer granting it,

Persons other than laborers.

cases the cost of said arrest and trial shall be in t of the court; and any Chinese person, other th laborer, having a right to be and remain in the U desiring such certificate as evidence of such righ for and receive the same without charge; and

Proceedings under former act discontinued.

ceedings for a violation of the provisions of said said act of May fifth, eighteen hundred and ni originally enacted, shall hereafter be instituted, proceedings for said violation now pending are hereby discontin

Felons can not register.

Provided, That no Chinese person heretofore any court of the States or Territories or of the Un a felony shall be permitted to register under the

Deportation.

this act; but all such persons who are now subje tion for failure or refusal to comply with the act *is an amendment* shall be deported from the United States as in s

his act provided, upon any appropriate proceedings now pending or which may be hereafter instituted.

SEC. 2. * * *

The certificate herein provided for shall contain the photograph of the applicant, together with his name, local residence, and occupation, and a copy of such certificate, with a duplicate of such photograph attached, shall be filed in the office of the United States collector of internal revenue of the district in which such Chinaman makes application.

Photograph of resident.

Such photograph in duplicate shall be furnished by each applicant in such form as may be prescribed by the Secretary of the Treasury.

Act approved November 3, 1893.

* * * * *

SEC. 4. That it shall be the duty of every Chinese laborer, other than a citizen, rightfully in, and entitled to remain in any of the insular territory of the United States (Hawaii excepted) at the time of the passage of this Act, to obtain within one year thereafter a certificate of residence in the insular territory wherein he resides, which certificate shall entitle him to residence therein, and upon failure to obtain such certificate as herein provided he shall be deported from such insular territory; and the Philippine Commission is authorized and required to make all regulations and provisions necessary for the enforcement of this section in the Philippine Islands, including the form and substance of the certificate of residence so that the same shall clearly and sufficiently identify the holder thereof and enable officials to prevent fraud in the transfer of the same: *Provided, however*, That if said Philippine Commission shall find that it is impossible to complete the registration herein provided for within one year from the passage of this Act, said Commission is hereby authorized and empowered to extend the time for such registration for a further period not exceeding one year.

Laborers to register in insular possessions, other than Hawaii.

In Philippines, Philippine Commission to control registration.

Act approved April 29, 1902.

NOTE.—As to registration in Hawaii see p. 10.

* * * * *

RULE 19. Hereafter an original certificate of registration can be issued to a Chinese laborer only upon the finding of a justice, judge or commissioner of a United States court that such Chinese laborer was a resident of the United States during the period of registration and that by reason of accident, sickness, or other unavoidable cause, he was then unable to secure such a certificate.

May not issue original certificates of residence hereafter, except when.

RULE 20. Duplicate certificates of residence shall be issued only upon satisfactory proof to the Commissioner-General of Immigration that the Chinese person upon whose behalf application therefor is made has actually, by unavoidable accident, lost his original certificate.

Duplicates issued only on proof of loss, etc.

RULE 21. The burden of proof in all cases rests upon Chinese persons claiming the right of admission to, or residence within, the United States, to establish such right affirmatively and satisfactorily to the appropriate Government officers, and in no case in which the law prescribes the nature of the evidence to establish such right shall other evidence be accepted in lieu thereof, and, in every doubtful

Burden of proof on Chinese applicants.

In doubtful cases, benefit of doubt to be given United States.

case, the benefit of the doubt shall be given by administrative officers to the United States Government.

* * * * *

Certificates to be taken up—when.

RULE 57. Certificates of residence issued to Chinese registered laborers, if found elsewhere than in possession of persons to whom issued, should be taken up and deposited with the officer in charge, subject to orders of the Department.

Registration under either act sufficient.

RULE 58. Chinese laborers duly registered under act of 1892 are not required to register under act of 1893 to secure admission. (T. D., 23344, November 7, 1901.)

Only registered laborers can secure return certificates.

RULE 59. Only persons registered as Chinese laborers are entitled to return certificates. (T. D., 23525, February 20, 1902.)

* * * * *

Regulations July 27th, 1903.

OTHER EXECUTIVE OFFICERS.

* * * * *

"SEC. 12. That no Chinese person shall be permitted to enter the United States by land without producing to the proper officer of customs the certificate in this act required of Chinese persons seeking to land from a vessel.

Entry by land.

And any Chinese person found unlawfully within the United States shall be caused to be removed therefrom to the country from whence he came, and at the cost of the United States, after being brought before some justice, judge, or commissioner of a court of the United States and found to be one not lawfully entitled to be or to remain in the United States; and in all such cases the person who brought or aided in bringing such person to the United States shall be liable to the Government of the United States for all necessary expenses incurred in such investigation and removal; and all peace officers of the several States and Territories of the United States are hereby invested with the same authority as a marshal or United States marshal in reference to carrying out the provisions of this act or the act of which this is amendatory, as a marshal or deputy marshal of the United States, and shall be entitled to like compensation to be audited and paid by the same officers.

Deportation.

Amended by act of May 5, 1892.

Liability for expenses of removal.

Authority of State officers.

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Act approved July 5, 1884.

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SEC. 13. * * * A certified copy of the judgment shall be the process upon which said removal shall be made, and it may be executed by the marshal of the district or any officer having authority of a marshal under the provisions of this section.

And in all such cases the person who brought or aided in bringing such person into the United States shall be liable to the Government of the United States for all necessary expenses incurred in such investigation and removal; and all peace officers of the several States and Territories of the United States are hereby invested with the same authority in reference to carrying out the provisions of this act, as a marshal or deputy marshal of the United States, and shall be entitled to like compensation, to be audited and paid by the same officers.

Punishment of person aiding.

—liability for expense of deportation.

Authority of State officers.

* * * * *

Act approved September 13, 1888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section six of an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May fifth, eighteen hundred and ninety-two, is hereby amended so as to read as follows:

"SEC. 6. And it shall be the duty of all Chinese laborers within the limits of the United States who are entitled to remain in the United States before the passage of the act to which this is an amendment to apply to the collector of internal revenue of their respective districts within six months after the passage of this act for a certificate of residence; and any Chinese laborer within the limits of the United States who shall neglect, fail, or refuse to comply with the provisions of this act and the act to which this is an amendment, or who, after the expiration of said six months, shall be found within the jurisdiction of the United States without such certificate of residence, shall be deemed and adjudg

Officers who may make arrests of unregistered laborers.

to be unlawfully within the United States, and may be arrest by any United States customs official, collector of internal rev nue or his deputies, United States marshal or his deputies, an taken before a United States judge, whose duty it shall be order that he be deported from the United States, as provide in this act and in the act to which this is an amendment, unless he shall esta lish clearly to the satisfaction of said judge that by reason of accident, sickne or other unavoidable cause he has been unable to procure his certificate, and the satisfaction of said United States judge, and by at least one credible witne other than Chinese, that he was a resident of the United States on the fifth May, eighteen hundred and ninety-two; and if, upon the hearing, it shall appe that he is so entitled to a certificate, it shall be granted upon his paying t cost. * * *

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Act approved November 3, 1893.

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Officers who may swear out warrants of arrest.

SEC. 3. That no warrant of arrest for violations of the Chinese-exclusion la shall be issued by United States commissioners excepting up the sworn complaint of a United States district attorney, sistant United States district attorney, collector, deputy c lector, or inspector of customs, immigration inspector, Unit States marshal, or deputy United States marshal, or Chinese inspector, unless t issuing of such warrant of arrest shall first be approved or requested in writi by the United States district attorney of the district in which issued.

SEC. 4. That this act shall take effect immediately.

Act approved March 3, 1901.

* * * * *

Other agents may be appointed—how.

SEC. 2. That the Secretary of the Treasury is hereby authorized and empower to make and prescribe, and from time to time to change, such rules and regu tions not inconsistent with the laws of the land as he may deem necessary a proper to execute the provisions of this Act and of the Acts hereby extended a continued and of the treaty of December eighth, eighteen hundred and nine four, between the United States and China, and with the proval of the President to appoint such agents as he m deem necessary for the efficient execution of said treaty a said Acts.

* * * * *

Act approved April 29, 1902.

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Immunity from arrest depends upon—what.

RULE 23. All certificates, or other evidence, offered by Chine persons to establish their right of admission to the United State other than laborers' registration certificates, shall be retained b the officers in charge of the administration of the Chinese-exclusio laws at ports of entry; the immunity from arrest the Chinese persons admitted thereon resting upo their exclusive occupation in the pursuits for whic their certificates, or other evidence, claim that the respectively seek admission to the United States.

Officers to arrest unregistered laborers.

RULE 24. Every Chinese laborer found within the United State without the certificate of registration prescribed b law shall be arrested, after being allowed a reason able opportunity under the close surveillance of t officer making such arrest to produce such certific by any officer charged with the enforcement of the Chinese-e

laws; and shall be taken by such officer before a justice, judge, commissioner of a United States court, in order that a warrant be issued upon the oath of such officer for the commitment trial of the said Chinese laborer.

* * * * *

RULE 27. Chinese persons who gain admission to United States as members of the admissible es and who after admission become laborers ll be arrested as being unlawfully in this country, rovided in Rule 24.

Those who become laborers after admission.

* * * * *

RULE 38. Administrative officers are hereby re-red, in accordance with section 7 of the act of ptember 13, 1888, to exact of every registered inese laborer applying for a return certificate, not rely a statement of the ground or grounds on which such laborer ms a right thereto, but also proofs of the existence of such und or grounds, either in the form of oral or of written testimony detail by not less than two credible witnesses who shall satisfy h officers that they have had opportunity to know the circum-nces to which they testify. Until such proof is supplied the estigation preliminary to granting or refusing the return certifi-e sought shall not be made.

To require proof of claims of Chinese persons.

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RULE 43. One of the copies described in Rule 42 all be retained by the officer in charge at the port exit, for his files, and the other, after an indorse-ent has been made thereon, duly signed and dated, the effect that the Chinese person named therein s been identified and has departed from the United States, shall returned by mail to the officer by whom it was prepared, and its ceipt by him, duly executed as herein required, shall be his au-ority for cancellation of the bond given on behalf of the Chinese rson, as provided in Rule 40 (*b*), to whom said descriptive list fers.

To dispose of descriptive lists of transit Chinamen—how.

* * * * *

[NOTE.—In regard to duties of officers stationed at grounds of expositions thorized by Congress, see Rule 44, paragraphs (*g*), (*h*), (*i*), and (*j*), p. 45–46.]

* * * * *

RULE 45. With a view to assisting in the decision of the cases of lleged Chinese merchants applying for admission to the United tates as such, the following instructions are promulgated for the uidance of all officers called upon to investigate the character of tablishments in which such applicants claim to have an active or nancial interest, to wit:

(*a*) In every case when investigation shows that the lleged mercantile establishment has operated in con-ection with it a laundry, restaurant, gambling estab-shment, or other nonmercantile business, or where here is anything to indicate that such establishment is, in fact, dif-rent from that which is claimed, it is directed that photographs taken of the room or rooms occupied by the firm, and, if neces-ry, a view of the front or rear of the building, or both.

To photograph mercantile establishments, when.

Size, etc., photographs.

(*b*) These photographs should be of a size n less than 5 by 7 inches nor more than 8 by inches, and should be taken in such manner as clearly show the real character of the business reported upon.

(*c*) The cost of each photograph shall include three unmount prints thereof, together with the original negative. The lat should be taken in charge by the officer making t investigation, and by him carefully preserved, su ject to the orders of the Department. If sub quently ordered sent elsewhere, negatives should be carefully pack in wooden boxes, with excelsior filling, and should be prope labeled and shipped by express—never by mail—with suitable mar upon the exterior of package, to insure care of the contents.

Disposal of photographs.

(*d*) One print of each photograph should be retained with t negative, the remaining two prints to accompa the report of investigation sent to the official w originally desired the inquiry made.

One copy to accompany report.

(*e*) Care should be taken to avoid excessive charges by pho graphers, but reasonable expense for this service w be allowed upon request made of the Bureau Immigration, Department of Commerce and Lab such items to be paid from the appropriation "E forcement Chinese-Exclusion Acts." Receipt of photographer w be required as a subvoucher in each instance.

Cost of, chargeable to what appropriation.

* * * * *

Regulations July 27th, 1903.

ED STATES CONSULAR OR DIPLOMATIC OFFICERS.

* * * *

To investigate statements in certificates, and if they are not found to be true, to withhold visé.

* * The certificate provided for in this act, ntity of the person named therein, shall, before goes on board any vessel to proceed to the United sed by the indorsement of the diplomatic repre- f the United States in the foreign country from certificate issues, or of the consular representative d States at the port or place from which the person named in the s about to depart; and such diplomatic representative or consular ve whose indorsement is so required is hereby empowered, and it duty, before indorsing such certificate as aforesaid, to examine into the statements set forth in said certificate, and if he shall find upon ı that said or any of the statements therein contained are untrue it duty to refuse to indorse the same.

* * * *

ved July 5, 1884.

* * * *

Registered laborer must return in one year. If detained longer, must secure statement from U. S. Consul that delay was unavoidable.

* * The right to return under the said certifi- limited to one year; but it may be extended for al period, not to exceed a year, in cases where, by kness or other cause of disability beyond his con- lder thereof shall be rendered unable sooner to ch facts shall be fully reported to and investigated ular representative of the United States at the port om which such laborer departs for the United certified by such representative of the United States to the satisfaction tor of customs at the port where such Chinese person shall seek to United States, such certificate to be delivered by said representative er of the vessel on which he departs for the United States.

* * * *

ved September 13, 1888.

To certify to causes of delay beyond one year.

l. Every Chinese laborer holding a return , if detained by his sickness or by other beyond his control for a time in excess of after the date of his departure from the tates, shall produce to the chief officer in charge at the turn, which must be the port from which said laborer de- certificate to that effect from the Chinese consul at said d upon an accompanying report by the United States con- er at the foreign port at which said laborer embarked for d States, that said consular officer has investigated the s of said laborer and believes that he was unavoidably for the time specified and for the reason stated.

* * * *

ions July 27th, 1903.

FOREIGN OFFICERS.

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Persons other than laborers.

"SEC. 6. That in order to the faithful execution of the p visions of this act, every Chinese person, other than a labo who may be entitled by said treaty or this act to come wit the United States, and who shall be about to come to the United States, a obtain the permission of and be identified as so entitled by Chinese Government, or of such other foreign governmen which at the time such Chinese person shall be a subject each case to be evidenced by a certificate issued by a Government, which certificate shall be in the English l guage, and shall show such permission, with the name of the permitted perso his or her proper signature, and which certificate shall a the individual, family, and tribal name in full, title or offi rank, if any, the age, height, and all physical peculiarities, former and pre occupation or profession, when and where and how long pursued, and plac residence of the person to whom the certificate is issued, and that such perso entitled by this act to come within the United States. * * *

Permission and identification by Chinese Government.

Certificate.

* * * * *

Credentials of.

"SEC. 13. That this act shall not apply to diplomatic a other officers of the Chinese or other Governments traveli upon the business of that Government, whose credentials shall be taken as equ alent to the certificate in this act mentioned, and shall exempt them and th body and household servants from the provisions of this act as to other Chin persons."

* * * * *

Act approved July 5, 1884.

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ARTICLE II.

—limitation.

* * * And such right of return to the United States sh be exercised within one year from the date of leaving United States; but such right of return to the United States may be extended an additional period, not to exceed one year, in cases where by reason of sickn or other cause of disability beyond his control, such Chinese laborer shall rendered unable sooner to return—which facts shall be fu reported to the Chinese consul at the port of departure, a by him certified, to the satisfaction of the collector of the p at which such Chinese subject shall land in the United Stat

Certificate of Chinese consul required, when.

And no such Chinese laborer shall be permitted to enter the United States *land or sea without* producing to the proper officer of the customs the rew *certificate herein required*

ARTICLE III.

ıvisions of this Convention shall not affect the right t enjoyed of Chinese subjects, being officials, teach- nts, merchants or travellers for curiosity or pleasure, ıborers, of coming to the United States and residing therein. To en- Chinese subjects as are above described to admis- the United States, they may produce a certificate r Government or the Government where they last iséed by the diplomatic or consular representative nited States in the country or port whence they

Privileged classes.

Certificates.

Excepted classes to submit certificate from home Government.

* * * *

tion December 8, 1894.

* * * *

26. The following officers have been author- their respective governments to issue the tes prescribed by section 6 of the act ap- July 3, 1884: The registrar-general for the colony of Hongkong; the chief comptrollers ese immigration at Victoria and New Westminster, British ia, for the Dominion of Canada; officers designated as super- nts of customs (or taotai) for the Empire of China. Until ficers are designated by their respective governments, only tes issued by those above enumerated shall be accepted as ıing to the requirements of the law, and Chinese persons of ıissible classes coming from countries which have not desig- ficers to issue such certificates can not be admitted to the States.

Officers designated by Government to issue section 6 certificates.

* * * *

ations July 27th, 1903.

COMMISSIONER-GENERAL OF IMMIGRATION.

AN ACT making appropriations for sundry civil expenses of the Government f the fiscal year ending June thirtieth, nineteen hundred and one, and for oth purposes.

Be it enacted, etc.,

* * * * *

Commissioner-General of Immigration shall administer Chinese exclusion laws.

* * * and hereafter the Commissioner-General of Im gration, in addition to his other duties, shall have charge the administration of the Chinese exclusion law and of t various acts regulating immigration into the United States, Territories, and the District of Columbia, under the super ion and direction of the Secretary of the Treasury.

Approved, June 6, 1900.

* * * * *

SEC. 4. That the following-named offices, bureaus, divisions, and branche the public service, now and heretofore under the jurisdiction of the Departm of the Treasury, and all that pertains to the same, known as the Light-Ho Board, the Light-House Establishment, the Steamboat-Inspection Service, t Bureau of Navigation, the United States Shipping Commissioners, the Natio Bureau of Standards, the Coast and Geodetic Survey, the Commissioner-Gene of Immigration, the commissioners of immigration, the Bureau of Immigrati the immigration service at large, and the Bureau of Statistics, be, and the s hereby are, transferred from the Department of the Treasury to the Departm of Commerce and Labor, and the same shall hereafter remain under the ju diction and supervision of the last-named Department; * * *

* * * * *

Exclusion laws and treaty transferred to Secretary of Commerce and Labor, and authority thereunder of collectors of customs and internal revenue to officers designated by Secretary of Commerce and Labor.

SEC. 7. * * * . That the authority, power and juris tion now possessed and exercised by the Secretary of t Treasury by virtue of any law in relation to the exclu from and the residence within the United States, its territo and the District of Columbia, of Chinese and persons Chinese descent, are hereby transferred to and conferred up the Secretary of Commerce and Labor, and the authori power and jurisdiction in relation thereto now vested by l or treaty in the collectors of customs and the collectors internal revenue, are hereby conferred upon and vested such officers under the control of the Commissioner-Gene of Immigration, as the Secretary of Commerce and Labor may designate theref

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Act approved February 14, 1903.

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RULE 9. Notice of appeal provided for in Rule 8 shall act as a st upon the disposal of the Chinese person whose case is thereb affected until a final decision is rendered by the Secretary; an within three days after the filing of such notice, unless further del is required to investigate and report upon new evidence, the com plete record of the case, together with such briefs, affidavits, an statements as are to be considered in connectio therewith, shall be forwarded to the Commissione General of Immigration by the officer in charge the port of arrival, accompanied by his views thereon in writi

Appeal papers to be forwarded to.

t on such appeal no evidence will be considered that has not been de the subject of investigation and report by the said officer in arge.

RULE 10. Additional time for the preparation of es after the expiration of three days next suc- eding the filing of notice of appeal will be allowed ly in those instances in which, in the judgment of d officer in charge, a literal compliance with Rule 9 would occa- n injustice to the appellant or the risk of defeat of the purposes of e law, and the reasons for delay beyond the time prescribed shall every instance be stated in writing in the papers forwarded to e Commissioner-General of Immigration.

Reasons for delay must be stated to.

RULE 11. Every officer in charge of the enforce- nt of the Chinese exclusion laws at a port of entry ll cause to be kept in books, to be furnished by e Bureau of Immigration, complete records of every Chinese per- arriving thereat, synopses of which shall be forwarded upon ropriate blanks not later than the tenth day of each calendar nth for the next preceding month, to the Commissioner-General Immigration, as also weekly reports upon forms to be furnished the Bureau of Immigration.

Reports of arrivals made to.

* * * * *

RULE 20. Duplicate certificates of residence shall issued only upon satisfactory proof to the Com- ssioner-General of Immigration that the Chinese son upon whose behalf application therefor is de has actually, by unavoidable accident, lost his original cer- cate.

Must have proof of loss of certificate of residence.

* * * * *

RULE 30. With the papers on appeal from a de- ion of the chief officer in charge at a port of entry re shall be transmitted to the Commissioner- neral of Immigration all the evidence bearing on the case appealed, including the evidence offered in accord- ce with the treaty and laws by returning Chinese laborers who ve remained out of the United States for a period of time in cess of one year from the date of their departure to show that e delay was occasioned by their sickness or some other cause of ability beyond their control.

Must have overtime certificate of delayed laborer.

* * * * *

RULE 39. If a returning Chinese laborer is admitted, his certifi- te of residence, which must have been left with the officer who nted him a return certificate, shall be returned to him and the d return certificate taken up. After indorsing upon such return tificate his action in the case and the date there- the chief officer in charge shall forward it to the mmissioner-General of Immigration, accompa- d, if the Chinese applicant is denied admission, said laborer's certificate of residence.

To forward return, and conditionally residence, certificate to.

* * * * *

NOTE.—For authority of Commissioner-General of Immigration in relation to nese persons *admitted to* take part in any exposition authorized by Congress, *Rule 44, paragraphs (f), (g), (j)*, and (k), pages 45–46.]

* * * * *

RULE 47. * * *

Will give instructions for deportations under judicial orders.

(*b*) Upon receiving writs of deportation, ı shals should at once make written report to Commissioner-General of Immigration, Departn of Commerce and Labor, Washington, D. C., ing names of the prisoners, where confined in and when the period of appeal provided by section 13 of the approved September 13, 1888, will expire. Instructions will t be issued as to the route to be followed, number of guards t employed, and to whom accounts are to be presented or forwa for settlement.

* * * * *

RULE 50. It shall be the duty of the officer in charge at the of entry to register and make a Bertillon record of all Chi laborers arriving at or departing from said port, which record s show the individual, family, and tribal name, age, occupation, w and where followed, last place of residence, physical peculiari and such other pertinent information as may assist in the ider cation or investigation of such person in case of returning to the United States. A duplicate of record of such registry shall be transmitted to Commissioner-General of Immigration for each vessel or railway train.

To keep duplicate Bertillon record.

RULE 51. Officers employed in the administra of the immigration and Chinese-exclusion law notified that all communications to the departr upon official matters must be addressed to Commissioner-General of Immigration or to the Secretary of Department of Commerce and labor.

To be addressed by officers in official letters.

* * * * *

RULE 56. The officer in charge at the poı departure shall send a copy of the certified des tion, with photograph of the person therein na attached, and also one of the stubs herein referred to, to the Commissioner-General of In gration; said stub and said copy of the certified description be filed together.

Return certificates and stubs must be forwarded to.

Certificates as above described, with a s number attached, will be issued to officer charge at ports from which Chinese depart application therefor to the Commissioner-Ger of Immigration. In all instances, officers in charge will fill out blanks on the stubs of the certificates. Officers in charge submit reports to the Commissioner-Genera Immigration weekly of Chinese persons depa from and returning to their respective ports, d ing themselves with the number of certificates received from Department, crediting themselves with the number used, reporting the number remaining on hand. The officers in ch shall cancel all certificates presented on admission of retur Chinese, and forward said certificates so canceled to the Com sioner-General of Immigration.

Will issue blanks to officers at ports of entry.

Weekly reports must be made to.

* * * * *

Regulations July 27th, 1903.

SECRETARY OF COMMERCE AND LABOR.

* * * * *

c. 7. * * * That the authority, power and jurisdiction possessed and exercised by the Secretary of the Treasury irtue of any law in relation to the exclusion from and the ence within the United States, its territories and the ict of Columbia, of Chinese and persons of Chinese ent, are hereby transferred to and conferred upon the etary of Commerce and Labor, and the authority, power jurisdiction in relation thereto now vested by law or ty in the collectors of customs and the collectors of inter- revenue, are hereby conferred upon and vested in such ers under the control of the Commissioner-General of igration, as the Secretary of Commerce and Labor may nate therefor.

Authority Secretary of the Treasury under Chinese-exclusion laws and treaty transferred to Secretary of Commerce and Labor, and authority thereunder of collectors of customs and internal revenue to officers designated by Secretary of Commerce and Labor.

* * * * *

et approved February 14, 1903.

* * * * *

c. 2. That the Secretary of the Treasury is hereby author- and empowered to make and prescribe, and from to time change, such rules and regulations not incon- nt with the laws of the land as he may deem necessary proper to execute the provisions of this Act and of the hereby extended and continued and of the treaty December eighth, eighteen hundred and ninety-four, ween the United States and China, and with the approval he President to appoint such agents as he may deem nec- ry for the efficient execution of said treaty and said Acts.

Authorized to issue rules to carry into effect all existing law relating to Chinese exclusion, and to appoint agents with the approval of the President.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be co strued to prevent, hinder, or restrict any foreign exhibitor, representative, citizen of any foreign nation, or the holder, who is a citizen of any foreign n tion, of any concession or privilege from any fair or exposition authorized by A of Congress from bringing into the United States, under contract, such mechani artisans, agents, or other employees, natives of their respective foreign countri as they or any of them may deem necessary for the purpose of making prepa tion for installing or conducting their exhibits or of preparing for installing conducting any business authorized or permitted under or virtue of or pertaining to any concession or privilege whi may have been or may be granted by any said fair or expo tion in connection with such exposition, under such rules a regulations as the Secretary of the Treasury may prescri both as to the admission and return of such person or perso

To make regulations for admission of persons under contract to take part in expositions.

* * * * *

Act approved April 29, 1902.

Be it enacted, etc.,

* * * * *

Decision of, on appeal, is final as to admissibility of any alien.

In every case where an alien is excluded from admiss into the United States under any law or treaty now existing hereafter made, the decision of the appropriate immigrati or customs officers, if adverse to the admission of such ali shall be final, unless reversed on appeal to the Secretary of t Treasury.

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Act approved August 18, 1894.

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To control all branches and officers of the immigration and Chinese-exclusion service.

SEC. 4. That the following-named offices, bureaus, division and branches of the public service, now and heretofore und the jurisdiction of the Department of the Treasury, and that pertains to the same, known as the Light-House Boar the Light-House Establishment, the Steamboat-Inspecti Service, the Bureau of Navigation, the United States Shippi Commissioners, the National Bureau of Standards, the Coast and Geodetic Surve the Commissioner-General of Immigration, the commissioners of immigratio the Bureau of Immigration, the immigration service at large, and the Bureau Statistics, be, and the same hereby are, transferred from the Department of t Treasury to the Department of Commerce and Labor, and the same shall he after remain under the jurisdiction and supervision of the last-named Depa ment; * * * .

* * * * *

Act approved February 14, 1903.

* * * * *

Authorized to designate ports of entry for Chinese in addition to ones named.

SEC. 7. * * * and no Chinese person, except Chine diplomatic or consular officers and their attendants, shall permitted to enter the United States except at the ports San Francisco, Portland, Oregan, Boston, New York, New O leans, Port Townsend, or such other ports as may be desi nated by the Secretary of the Treasury.

* * * * *

Act approved September 13, 1888.

* * * * *

RULE 7. The examination prescribed in Rule 6 hould be separate and apart from the public, in he presence of Government officials and such wit- ess or witnesses only as the examining officer shall esignate, and if, upon the conclusion thereof, the Chinese applicant for admission is adjudged to be inadmissible, he hould be advised of his right of appeal and his counsel should be ermitted, after duly filing notice of appeal, to examine, but not make opies of, the evidence upon which the excluding decision is based.

Excluded Chinamen to be advised of right of appeal to.

RULE 8. Every Chinese person refused admission under the pro- sions of the exclusion laws by the decision of the officer in charge the port of entry must, if he shall elect to take an appeal to the ecretary, give written notice thereof to said officer within two days fter such decision is rendered.

* * * * *

RULE 15. No Chinese person, other than a sea- an, will be permitted to land temporarily under nd, except upon the certificate of a surgeon of the blic Health and Marine-Hospital Service that ch temporary landing is necessitated by the condition of his alth, and with the permission of the Secretary of Commerce and bor, under such conditions as he shall prescribe.

Will admit Chinamen under bond, when.

* * * * *

Regulations July 27th, 1903.

THE CERTIFICATES PRESCRIBED BY LAW.

1. SECTION SIX CERTIFICATES.

* * * * *

Persons other than laborers.

"SEC. 6. That in order to the faithful execution of the pr visions of this act, every Chinese person, other than a labore who may be entitled by said treaty or this act to come withi the United States, and who shall be about to come to the United States, sha obtain the permission of and be identified as so entitled by t Chinese Government, or of such other foreign government o which at the time such Chinese person shall be a subject, i each case to be evidenced by a certificate issued by such Gov ernment, which certificate shall be in the English langua and shall show such permission, with the name of the pe mitted person in his or her proper signature, and which certificate shall st the individual, family, and tribal name in full, title or official rank, if any, t age, height, and all physical peculiarities, former and present occupation or pr fession, when and where and how long pursued, and place of residence of t person to whom the certificate is issued, and that such person is entitled by t act to come within the United States.

Permission and identification by Chinese Government.

Certificate.

Merchants.

If the person so applying for a certificate shall be a me chant said certificate shall, in addition to above requirement state the nature, character, and estimated value of the business carried on b him prior to and at the time of his application as aforesaid: *Provided*, That not ing in this act nor in said treaty shall be construed as embracing within t meaning of the word 'merchant,' hucksters, peddlers, or those engaged in ta ing, drying, or otherwise preserving shell or other fish for home consumption o exportation.

Travelers.

If the certificate be sought for the purpose of travel for cu osity, it shall also state whether the applicant intends to pa through or travel within the United States, together with his financial standin in the country from which such certificate is desired.

The certificate provided for in this act, and the identity of the person name therein, shall, before such person goes on board any vessel to proceed to t United States, be visćed by the indorsement of the diplomat representatives of the United States in the foreign countr from which such certificate issues, or of the consular representative of the Unite States at the port or place from which the person named in the certificate i about to depart; and such diplomatic representative or consular representativ whose indorsement is so required is hereby empowered, and it shall be his duty before indorsing such certificate as aforesaid, to examine into the truth of th statements set forth in said certificate, and if he shall find upon examinatio that said or any of the statements therein contained are untrue it shall be hi duty to refuse to indorse the same.

Consular visé.

Such certificate vised as aforesaid shall be prima facie ev dence of the facts set forth therein, and shall be produced t the collector of customs of the port in the district in the Unite States at which the person named therein shall arrive, an afterward produced to the proper authorities of the Unite States whenever lawfully demanded, and shall be the sole evidence permissib on the part of the person so producing the same to establish a right of entry int *the United States; but* said certificate may be controverted and the facts therei *stated disproved by* the United States authorities."

Certificate prima facie evidence against United States and sole evidence for holder.

* * * * *

Act approved July 5, 1884.

* * * * *

RULE 21. The burden of proof in all cases rests upon Chinese persons claiming the right of admission to or residence within the United States to establish such right affirmatively and satisfactorily to the appropriate Government officers, and in no case in which the law prescribes the nature of the evidence to establish such right shall other evidence be accepted in lieu thereof, and in every doubtful case the benefit of the doubt shall be given by administrative officers to the United States Government.

Other evidence may not be accepted.

* * * * *

RULE 23. All certificates or other evidence offered by Chinese persons to establish their right of admission to the United States, other than laborers' registration certificates, shall be retained by the officers in charge of the administration of the Chinese-exclusion laws at ports of entry, the immunity from arrest of the Chinese persons admitted thereon resting upon their exclusive occupation in the pursuits for which their certificates, or other evidence, claim that they respectively seek admission to the United States.

To be retained by officers at ports.

* * * * *

RULE 26. The following officers have been authorized by their respective governments to issue the certificates prescribed by section 6 of the act approved July 3, 1884: The registrar-general for the British colony of Hongkong; the chief comptrollers of Chinese immigration at Victoria and New Westminster, British Columbia, for the Dominion of Canada; officers designated as superintendents of customs (or taotai) for the Empire of China. Until other officers are designated by their respective governments, only certificates issued by those above enumerated shall be accepted as conforming to the requirements of the law; and Chinese persons of the admissible classes coming from countries which have not designated officers to issue such certificates can not be admitted to the United States.

Foreign officers authorized to issue section 6 certificates.

* * * * *

RULE 28. The omission from a certificate prescribed by section 6 of the act approved July 5, 1884, of any of the information required by said section is fatal to the sufficiency of such certificate as evidence of the right of the person to whom issued to enter the United States.

Any omission from, fatal to.

* * * * *

RULE 53. The certificates prescribed by section 6 of the act of July 5, 1884, on which Chinese of the exempt classes were admitted to the United States, should be canceled by officers in charge by writing across the face thereof in red ink the fact of the admission and the date thereof.

To be canceled—how.

* * * * *

RULE 61. In view of the provisions of section 1 of the act approved April 29, 1902, it will be necessary for Chinese persons of the classes mentioned in article 3 of the convention of December 8, 1894, who are resident in the insular territory of the United States to comply with the terms of section 6 of the act approved July

How issued to Chinese persons in insular territory of the United States.

1884, and for this purpose the permission of su persons to go from one insular territory to anoth insular territory of the United States, or from su insular territory to the mainland territory of t United States, shall be granted by an officer des nated for that purpose by the chief executive of ss insular territories, respectively, and the duties imposed by secti 6 of the act approved July 5, 1884, upon United States diploma and consular officers in foreign countries in relation to Chinese p sons of the said classes shall be discharged by the chief officers charge of the enforcement of the Chinese exclusion acts at the por respectively, from which any members of such excepted clas intend to depart from any insular territory of the United States.

* * * * *

Regulations July 27th, 1903.

* * * * *

ARTICLE III.

Privileged classes.

The provisions of this Convention shall not affect the ri at present enjoyed of Chinese subjects, being officials, teach students, merchants or travellers for curiosity or pleasure, not laborers, of coming to the United States and residing therein. To ent such Chinese subjects as are above described to admission into the United Sta

Certificates.

they may produce a certificate from their Government or Government where they last resided viséed by the diploma or consular representative of the United States in the coun or port whence they depart.

* * * * *

Convention December 8, 1894.

2. LABORERS' CERTIFICATES OF RESIDENCE.

* * * * *

Registration of resident laborers.

Amended by act of Nov. 3, 1893.

SEC. 6. And it shall be the duty of all Chinese labo within the limits of the United States at the time of the p sage of this act, and who are entitled to remain in the Uni States, to apply to the collector of internal revenue of th respective districts, within one year after the passage of t act, for a certificate of residence, and any Chinese laborer within the limits the United States who shall neglect, fail, or refuse to comply with the pr sions of this act, or who, after one year from the passage hereof, shall be fou within the jurisdiction of the United States without such certificate of residen shall be deemed and adjudged to be unlawfully within the United States, a may be arrested by any United States customs official, collector of internal r enue or his deputies, United States marshal or his deputies, and taken befor

Deportation.

United States judge, whose duty it shall be to order that be deported from the United States, as hereinbefore provid

Excuses.

unless he shall establish clearly to the satisfaction of s judge that by reason of accident, sickness or other unav able cause, he has been unable to procure his certificate, and to the satisfact of the court, and by at least one credible white witness, that he was a resid *of the United States* at the time of the passage of this act; and if upon the he *ing it shall appear that* he is so entitled to a certificate, it shall be granted u *his paying the cost.*

* * * * *

* * Such certificates shall be issued without applicant, and shall contain the name, age, e, and occupation of the applicant, and such ion of the applicant as shall be prescribed by of the Treasury, and a duplicate thereof shall be filed in the office r of internal revenue for the district within which such Chinaman tion.

Contents of certificate.

any person who shall knowingly and falsely tute any name for the name written in such forge such certificate, or knowingly utter any dulent certificate, or falsely personate any person named in such ll be guilty of a misdemeanor, and upon conviction thereof shall um not exceeding one thousand dollars or imprisoned in the peniterm of not more than five years.

Forgery.

* * * *

d May 5, 1902.

l by the Senate and House of Representatives of the United States of ngress assembled, That Section six of an act entitled "An act to prong of Chinese persons into the United States," approved May fifth, lred and ninety-two, is hereby amended so as to read as follows:

d it shall be the duty of all Chinese laborers nits of the United States who were entitled to United States before the passage of the act to n amendment to apply to the collector of internal revenue of their tricts within six months after the passage of this act for a certifice; and any Chinese laborer within the limits of the United States lect, fail, or refuse to comply with the provisions of this act and ch this is an amendment, or who, after the expiration of said six l be found within the jurisdiction of the United States without te of residence, shall be deemed and adjudged lly within the United States, and may be arrested l States customs official, collector of internal revenue or his deputates marshal or his deputies, and taken before a judge, whose duty it shall be to order that he be the United States, as provided in this act and in the act to which ndment, unless he shall establish clearly to the said judge that by reason of accident, sickness, oidable cause he has been unable to procure his certificate, and to n of said United States judge, and by at least one credible witness inese, that he was a resident of the United States on the fifth of hundred and ninety-two; and if, upon the hearing, it shall appear ntitled to a certificate, it shall be granted upon his paying the cost. ppear that said Chinaman had procured a certificate which has been yed, he shall be detained and judgment susonable time to enable him to procure a duplicofficer granting it, and in such cases the cost of l trial shall be in the discretion of the court; and any Chinese perin a Chinese laborer, having a right to be and United States, desiring such certificate as eviright, may apply for and receive the same withd that no proceedings for a violation of the *said section* six of said act of May fifth, eighteen *ninety-two,* as originally enacted, shall here*uted,* and that proceedings for said violation now pending are *nued."*

Resident laborers must register.

Arrest.

Deportation.

Excuses.

Loss of certificate.

Persons other than laborers.

Proceedings under former act discontinued.

Provided, That no Chinese person heretofore convicted in any court of th States or Territories or of the United States of a felony sha be permitted to register under the provisions of this act; b all such persons who are now subject to deportation for failu or refusal to comply with the act to which this is an amen ment shall be deported from the United States as in said a and in this act provided, upon any appropriate proceedings now pending which may be hereafter instituted.

Felons can not register.

Deportation.

* * * * *

SEC. 2. * * * The certificate herein provided for shall co tain the photograph of the applicant, together with his nam local residence, and occupation, and a copy of such certificat with a duplicate of such photograph attached, shall be filed in the office of t United States collector of internal revenue of the district in which such Chi man makes application.

Photograph of resident.

Such photograph in duplicate shall be furnished by each applicant in su form as may be prescribed by the Secretary of the Treasury.

Act approved, November 3, 1893.

[NOTE.—See p. 10 for sec. 101, act requiring registration of Chinese laborers Hawaii, approved April 30, 1900.]

* * * * *

SEC. 4. That it shall be the duty of every Chinese labor other than a citizen, rightfully in, and entitled to remain any of the insular territory of the United States (Hawaii e cepted) at the time of the passage of this Act, to obtain with one year thereafter a certificate of residence in the insular territory wherein resides, which certificate shall entitle him to residence therein, and upon failu to obtain such certificate as herein provided he shall be deported from such ins lar territory; and the Philippine Commission is authorized and required to mak all regulations and provisions necessary for the enforcement of this section the Philippine Islands, including the form and substance of the certificate residence so that the same shall clearly and sufficiently identify the hol thereof and enable officials to prevent fraud in the transfer of the same: *Provid however*, That if said Philippine Commission shall find that it is impossible complete the registration herein provided for within one year from the pass of this Act, said Commission is hereby authorized and empowered to extend t time for such registration for a further period not exceeding one year.

Registration in insular territory, Hawaii excepted.

Approved, April 29, 1902.

* * * * *

RULE 19. Hereafter an original certificate of residence can be i sued to a Chinese laborer only upon the finding a justice, judge, or commissioner of a United Stat court that such Chinese laborer was a resident the United States during the period of registrati and that by reason of accident, sickness, or other unavoidable cau he was then unable to secure such a certificate, except under sectio 4 of the act approved April 29, 1902.

Originals hereafter not to be issued, except when.

RULE 20. Duplicate certificates of residence shall be issued on upon satisfactory proof to the Commissioner-Gener of Immigration that the Chinese person upon wh *behalf* application therefor is made has actually, *unavoidable accident*, lost his original certificate.

Duplicates may *be issued*, when.

* * * *

24. Every Chinese laborer found within the United States
the certificate of registration prescribed by
l be arrested, after being allowed a reasona-
ortunity under the close surveillance of the
aking such arrest to produce such certificate,
officer charged with the enforcement of the Chinese exclu-
s; and shall be taken by such officer before a justice, judge,
nissioner of a United States court in order that a warrant
issued upon the oath of such officer for the commitment and
he said Chinese laborer.

Laborer without certificate to be arrested.

* * * *

57. Certificates of residence issued to Chi-
istered laborers, if found elsewhere than in
on of persons to whom issued, should be
p and deposited with the officer in charge, subject to orders
epartment.

To be taken up, when.

58. Chinese laborers duly registered under
892 are not required to register under act of
secure admission. (T. D., 23344, Novem-
901.)

Issued under either act sufficient.

59. Only persons registered as Chinese
are entitled to return certificates. (T. D.,
ebruary 20, 1902.)

Must have residence certificate to return to U. S.

* * * *

ations July 27, 1903.

ERTIFICATES OF RESIDENCE TO OTHER THAN LABORERS.

* * * *

. * * * and any Chinese person, other
Chinese laborer, having a right to be and
in the United States, desiring such certifi-
evidence of such right, may apply for and receive the same
charge; * * *

Persons other than laborers.

* * * *

pproved May 5, 1892, and November 3, 1893.

4. REGISTERED LABORERS' RETURN CERTIFICATES.

* * * *

That from and after the passage of this act, no Chi-
orer in the United States shall be permitted, after
eft, to return thereto, except under the conditions
the following sections.

Return of laborers prohibited.

That no Chinese laborer within the purview of the
section shall be permitted to return to the United
less he has a lawful wife, child, or parent in the
tates, or property therein of the value of one thou-
ars, or debts of like amount due him and pending
it.

Exceptions—wife, child, or parent resident here.

Property or choses in action of value of $1,000 here.

arriage *to such wife* must have taken place at least a year prior to the
n of the laborer for a permit to return to the United
l must have been followed by the continuous co-
of the parties as man and wife.

Time of marriage.

Property and choses in action must be bona fide.

If the right to return be claimed on the ground of property or of debts, it must appear that the property is bona fide and not colorably acquired for the purpose of evading this act, or that the debts are unascertained and unsettled, and not promissory notes or other similar acknowledgments of ascertained liabibility.

Promissory notes insufficient.

Identification of returning laborer.

SEC. 7. That a Chinese person claiming the right to be permitted to leave the United States and return thereto on any of the grounds stated in the foregoing section, shall apply to the collector of customs of the district from which he wishes to depart at least a month prior to the time of his departure, and shall make on oath before the said collector a full statement descriptive of his family, or property, or debts, as the case may be, and shall furnish to said collector such proof of the facts entitling him to return as shall be required by the rules and regulations prescribed from time to time by the Secretary of the Treasury, and for any false swearing in relation thereto he shall incur the penalties of perjury.

He shall also permit the collector to take a full description of his person, which description the collector shall retain and mark with a number.

Certificate to be sole evidence given laborer of his right to return.

And if the collector, after hearing the proofs and investigating all the circumstances of the case, shall decide to issue a certificate of return, he shall at such time and place as he may designate, sign and give to the person applying a certificate containing the number of the description last aforesaid, which shall be the sole evidence given to such person of his right to return.

Can not be transferred.

If this last-named certificate be transferred, it shall become void, and the person to whom it was given shall forfeit his right to return to the United States.

* * * * *

Return certificate indispensable.

Laborer to be admitted only at port from which he departed.

And no Chinese laborer shall be permitted to re-enter the United States without producing to the proper officer of the customs at the port of such entry the return certificate herein required. A Chinese laborer possessing a certificate under this section shall be admitted to the United States only at the port from which he departed therefrom.

* * * * *

Act approved September 13, 1888.

* * * * *

ARTICLE II.

Return of laborers.

—conditions.

The preceding Article shall not apply to the return to the United States of any registered Chinese laborer who has a lawful wife, child, or parent in the United States, or property therein of the value of one thousand dollars, or debts of like amount due him and pending settlement. Nevertheless every such Chinese laborer shall, before leaving the United States, deposit, as a condition of his return, with the collector of customs of the district from which he departs, a full description in writing of his family, or property, or debts, as aforesaid, and shall be furnished by said collector with such certificate of his right to return under this Treaty as the laws of the United States may now or hereafter prescribe and not inconsistent with the provisions of this Treaty; and should the written description aforesaid be proved to be false, the right of return thereunder, or of continued residence after return, shall in each case be forfeited. * * *

* * * * *

Convention December 8, 1894.

* * * * *

Notice to laborer grants a return certificate.

RULE 35. Every departing Chinese laborer who as been furnished with a return certificate under e provisions of section 7 of the act approved Sepmber 13, 1888, must be informed by the officer by hom such certificate is granted that, upon his return to the port f departure, as a prerequisite to admission, there must exist one of e grounds recited in Article II of the convention of December 8, 94, to entitle him to admission after a temporary absence from the nited States.

* * * * *

To produce certificate on return.

RULE 37. Upon the arrival of any registered Chiee laborer at a port of the United States, he shall hibit his return certificate to the chief officer in arge of the enforcement of the Chinese-exclusion laws at said port, d if the evidence already secured in such a case establishes the ht of such a returning Chinese laborer to admission, and is not ntroverted, then he should be admitted without delay, but otherse he shall be refused admission until he establishes his right reto.

Chinese laborer must prove right to certificate.

RULE 38. Administrative officers are hereby required, in accordce with section 7 of the act of September 13, 1888, exact of every registered Chinese laborer, applyg for a return certificate, not merely a statement the ground, or grounds, on which such laborer ims a right thereto, but also proofs of the existence of such ound or grounds, either in the form of oral, or of written testiony in detail by not less than two credible witnesses, who shall isfy such officers that they have had opportunity to know the cumstances to which they testify. Until such proof is supplied, investigation preliminary to granting or refusing the return cercate sought shall not be made.

To be taken up and residence certificate to be returned to owner.

RULE 39. If a returning Chinese laborer is admitted, his certifite of residence, which must have been left with the officer who anted him a return certificate shall be returned him and the said return certificate be taken up. ter indorsing upon such return certificate his ion in the case and the date thereof, the chief icer in charge shall forward it to the Commisner-General of Immigration, accompanied, if the Chinese applint is denied admission, by said laborer's certificate of residence.

* * * * *

Application for, how to be made.

RULE 55. A Chinese person claiming the right to permitted to leave the United States and return ereto as a duly registered laborer shall apply in rson to the officer in charge of the district in which he resides at ast a month prior to the time of his departure; shall deposit with d officer a certificate of registration from the internal-revenue llector for the district in which he resided at the time of registrain, and shall make on oath before the officer in charge, in writ, a full statement descriptive of his family, or property, or debts, the case may be, and fully describing himself, giving his age, me, height, local residence, occupation, color of eyes and comxion, and distinguishing marks, if any, and naming the por n which he expects to depart from the United States, whi

shall be one of those designated in Rule 4. Su written description shall be filed in duplicate, and each shall be permanently attached a photogr of the Chinese person referred to therein. The officer in charge his deputy, with whom such certificate of registration and writ description are filed, will make a thorough exa nation to ascertain whether the applicant is re tered, and as to the accuracy of the descriptive st ment; that the photograph accompanying the latter for the purp of identification is that of the person described in such certific and statements, and that his height, weight, and descriptive ph ical marks are accurately given, and will then write his official nature in part across such photograph and in part upon the adjo ing portion of the written descriptive statement to prevent stitution. The said officer in charge will then tr mit the certificate of registration to the Comm sioner-General of Immigration, for comparison w the record thereof in his office in respect not only to name and d therein, but in all other particulars. At the same time the said o cer in charge will in person, or through an im grant or Chinese inspector, make thorough inve gation as to the facts stated therein. As soon practicable thereafter the said officer in charge w transmit such registration certificate, one copy of the sworn st ment, and the reports of investigation to the officer in charge of the d trict from which such Chinese laborer intends to depart from United States, and at the same time will transmit to said Chin laborer the duplicate copy of such sworn statement, with instructi to present the same in person to the officer in charge at the por departure. Upon the receipt of such certificate of registration, duplicate copies of said sworn statement, and the reports of inve gation, the officer in charge or his deputy at port of departure, after one month from the date filing of the original application in the office of t officer in charge of the district in which said Chinese laborer resid if he finds that the person presenting such duplicate statement is Chinese person therein described, and is entitled thereto, may s and give to such person, on his departure from said port, a certific containing the number of the description referred to in the follo ing form:

Written description.

Examination.

To verify certificate of residence.

Report to officer at port of departure.

May be issued, when.

No. ——. UNITED STATES OF AMERICA.

Form of certificate.

Certificate issued to Chinese laborer departing from the Un States with the intention of returning thereto, under the tr between the United States of America and the Empire of Ch signed March 17, 1894, and proclaimed by the President of the United States Dec ber 8, 1894.

This is to certify that —— ——, a Chinese laborer, described in identificati paper numbered ——, port of ——, departed from this port for —— on this day of ——, 190—, with the intention of returning to the United States via t port within twelve months from said date.

Given under my hand and seal this —— day of ——, 190—, at ——, St of ——.

[SEAL.]

—— ——,

Officer in Charge, Port of ——, District of ——

: last-named certificate be transferred it shall
void, and the person to whom it was given
officer in charge shall forfeit his right to
;o the United States.

Not to be transferred.

ertified description should be carefully pre-
by the officer in charge at the port of exit
ans of identification of the Chinese person
mentioned, and who, in order to avail him-
he privilege conferred by said article II of the treaty, must
via the port of departure within one year from the date of
ing the United States, unless prevented by sickness or other
ty beyond his control.

Certified description to be preserved.

56. The officer in charge at the port of
re shall send a copy of the certified descrip-
ith photograph of the person therein named
d, and also one of the stubs hereinafter
l to, to the Commissioner-General of Immigration; said stub
d copy of the certified description shall be filed together.

Copy to be sent to Commissioner-General.

ficates as above described, with a serial number attached,
issued to officers in charge at ports from which Chinese
upon application therefor to the Commissioner-General of
ation. In all instances, officers in charge
l out the blanks on the stubs of the certifi-
Officers in charge will submit reports to the
ssioner-General of Immigration weekly of Chinese persons
ng from and returning to their respective ports, debiting
lves with the number of certificates received from the
ment, crediting themselves with the number used, and
ng the number remaining on hand. The
in charge shall cancel all certificates pre-
on admission of returning Chinese, and for-
aid certificates so canceled to the Commissioner-General of
ration.

Forms to be issued to officers.

Disposal of canceled certificates.

* * * *

; 59. Only persons registered as Chinese labor-
entitled to return certificates. (T. D., 23525,
ry 20, 1902.)

Only registered laborers may obtain.

* * * *

ilations July 27th, 1903.

5. LABORERS' OVERTIME CERTIFICATES.

* * * *

* * * The right to return under the said certifi-
ll be limited to one year; but it may be extended for
ional period, not to exceed a year, in cases where, by
f sickness or other cause of disability beyond his con-
holder thereof shall be rendered unable sooner to
which facts shall be fully reported to and investigated
onsular representative of the United States at the port
from which such laborer departs for the United States,
ified by such representative of the United States to
faction of the collector of customs at the port where
inese person shall seek to land in the United States,
tificate to be delivered by said representative to the
f the vessel on which he departs for the United States. * * *

Limitation.

—extension in case of sickness or disability.

Certificate of sickness or disability.

To be made by U. S. consular representative, after ascertainment of the facts.

* * * *

roved September 13, 1888.

* * * *

ARTICLE II.

—limitation.

* * * And such right of return to the United States shall be exercised within one year from the date of leaving the United States; but such right of return to the United States may be extended for an additional period, not to exceed one year, in cases where by reason of sickness or other cause of disability beyond his control, such Chinese laborer shall be rendered unable sooner to return—which fact shall be fully reported to the Chinese consul at the port of departure, and by him certified, to the satisfaction of the collector of the port at which such Chinese subject shall land in the United States. And no such Chinese laborer shall be permitted to enter the United States by land or sea without producing to the proper officer of the customs the return certificate herein required.

To be made by Chinese consul at port of departure.

* * * * *

Convention December 8, 1894.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Sec. 7 of act Sept. 13, 1888 reenacted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all laws now in force prohibiting and regulating the coming of Chinese persons, and persons of Chinese descent, into the United States, and the residence of such persons therein, including sections five, six, seven, eight, nine, ten, eleven, thirteen, and fourteen of the Act entitled "An Act to prohibit the coming of Chinese laborers into the United States," approved September thirteenth, eighteen hundred and eighty-eight, be, and the same are hereby re-enacted, extended, and continued so far as the same are not inconsistent with treaty obligations, until otherwise provided by law, and said laws shall also apply to the island territory under the jurisdiction of the United States, and prohibit the immigration of Chinese laborers, not citizens of the United States, from such island territory to the mainland territory of the United States, whether in such island territory at the time of cession or not, and from one portion of the island territory of the United States to another portion of said island territory: *Provided, however*, That said laws shall not apply to the transit of Chinese laborers from one island to another island of the same group; and any islands within the jurisdiction of any State or the District of Alaska shall be considered a part of the mainland under this section.

* * * * *

Act approved April 29, 1902.

* * * * *

To be made by Chinese consul at American port of departure.

RULE 5. Under an opinion of the Attorney-General (Vol. XXI, p. 357), the Chinese consul at the port of departure from the United States is required to certify to the sickness or other cause of disability which a Chinese laborer alleges in excuse for his failure to return within one year. To secure the benefit of the conditional extension of the time of absence beyond one year, the Chinese laborer making such claim must have departed from a port within the jurisdiction of a Chinese consular officer.

* * * * *

To be forwarded with other papers in appeal cases.

RULE 30. With the papers on appeal from a decision of the chief officer in charge at a port of entry there shall be transmitted to the Commissioner-General of Immigration all the evidence

ing upon the case appealed, including the evidence offered in rdance with the treaty and laws by returning Chinese laborers have remained out of the United States for a period of time in ess of one year from the date of their departure to show that the y was occasioned by their sickness or some other cause of dis- ity beyond their control.

ULE 31. Every Chinese laborer holding a return certificate, if ined by his sickness or by other disability beyond his control, a time in excess of one year after the date of his departure from United States, shall produce to the chief officer in charge at the of return, which must be the port from which said laborer arted, a certificate to that effect from the Chinese consul at said , based upon an accompanying report by the ted States consular officer at the foreign port at ch said laborer embarked for the United States, said consular officer has investigated the state- ts of said laborer and believes that he was unavoidably detained the time specified and for the reason stated.

To be made by both Chinese and American consuls.

* * * * *

egulations July 27th, 1903.

JUDICIAL PROCEEDINGS.

* * * *

Deportation.

Amended by act of May 5, 1892.

Liability for expenses of removal.

Authority of State officers.

SEC. 12. * * * And any Chinese person fou within the United States shall be caused to be r from to the country from whence he came, and a United States, after being brought before some or commissioner of a court of the United State be one not lawfully entitled to be or to remain States; and in all such cases the person who br in bringing such person to the United States sh the Government of the United States for all penses incurred in such investigation and re peace officers of the several States and Territori States are hereby invested with the same auth shal or United States marshal in reference to carrying out the pr act or the act of which this is amendatory, as a marshal or dep the United States, and shall be entitled to like compensation to l paid by the same officers. * * *

* * * *

Act approved July 5, 1884.

* * * *

Arrest of Chinese unlawfully in United States.

Deportation.

Chinaman may appeal to judge of district court.

SEC. 13. That any Chinese person or person scent found unlawfully in the United States o may be arrested upon a warrant issued upo under oath, filed by any party on behalf of the by any justice, judge, or commissioner of any United States co before any justice, judge, or commissioner of a United States c any United States court, and when convicted upon a hearing and judged to be one not lawfully entitled to be or remain in the Unit person shall be removed from the United Stat try whence he came.

But any such Chinese person convicted be sioner of a United States court may, within such conviction, appeal to the judge of the d the district.

A certified copy of the judgment shall be the process upon whic shall be made, and it may be executed by the marshal of the dist cer having authority of a marshal under the provisions of this sec

Punishment of person aiding.

—liability for expenses of deportation.

Authority of State officers.

And in all such cases the person who broug bringing such person into the United States sh the Government of the United States for all penses incurred in such investigation and re peace officers of the several States and Territori States are hereby invested with the same aut ence to carrying out the provisions of this ac or deputy marshal of the United States, and sh to like compensation, to be audited and paid by the same officers

* * * *

Act approved September 13, 1888.

* * * *

SEC. 2. That any Chinese person or person of Chinese descent, hen convicted and adjudged under any of said laws to be ot lawfully entitled to be or remain in the United States, all be removed from the United States to China, unless he they shall make it appear to the justice, judge, or commisoner before whom he or they are tried that he or they are ubjects or citizens of some other country, in which case he they shall be removed from the United States to such ountry: *Provided*, That in any case where such other couny of which such Chinese person shall claim to be a citizen subject shall demand any tax as a condition of the removal of such person that country, he or she shall be removed to China.

Deportation to China.

Deportation to country other than China.

—*proviso* in case of foreign tax.

SEC. 3. That any Chinese person or person of Chinese descent rested under the provisions of this act or the acts hereby tended shall be adjudged to be unlawfully within the nited States unless such person shall establish, by affirmative proof, to the tisfaction of such justice, judge, or commissioner, his lawful right to remain the United States.

Burden of proof on Chinese.

* * * * *

SEC. 5. That after the passage of this act, on an application any judge or court of the United States in the first instance r a writ of habeas corpus, by a Chinese person seeking to nd in the United States, to whom that privilege has been enied, no bail shall be allowed and such application shall be eard and determined promptly without unnecessary delay.

Writ of habeas corpus.

Bail not allowed.

SEC. 6. And it shall be the duty of all Chinese laborers ithin the limits of the United States at the time of the pasge of this act, and who are entitled to remain in the United tates, to apply to the collector of internal revenue of their espective districts, within one year after the passage of this act, for a certificate f residence, and any Chinese laborer within the limits of the United States who hall neglect, fail, or refuse to comply with the provisions of this act, or who, fter one year from the passage hereof, shall be found within the jurisdiction of he United States without such certificate of residence, shall be deemed and adudged to be unlawfully within the United States, and may be arrested by any nited States customs official, collector of internal revenue or his deputies, nited States marshal or his deputies, and taken before a nited States judge, whose duty it shall be to order that he e deported from the United States, as hereinbefore proided, unless he shall establish clearly to the satisfaction of id judge that by reason of accident, sickness or other unvoidable cause, he has been unable to procure his certificate, and to the satfaction of the court, and by at least one credible white witness, that he was resident of the United States at the time of the passage of this act; and if upon he hearing it shall appear that he is so entitled to a certificate, it shall be ranted upon his paying the cost.

Registration of resident laborers.

Deportation.

Excuses.

Should it appear that said Chinaman had procured a cerificate which has been lost or destroyed, he shall be dehined and judgment suspended a reasonable time to enable him to procure a duplicate from the officer granting it, and in such cases the cost of said arrest and trial shall be in the discretion of the court. * * *

Loss of certificate.

* * * * *

Act approved May 5, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section six of an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May fifth, eighteen hundred and ninety-two, is hereby amended so as to read as follows:

Resident laborers must register.

"SEC. 6. And it shall be the duty of all Chinese laborers within the limits of the United States who were entitled to remain in the United States before the passage of the act to which this is an amendment to apply to the collector of internal revenue of their respective districts within six months after the passage of this act for a certificate of residence; and any Chinese laborer within the limits of the United States who shall neglect, fail, or refuse to comply with the provisions of this act and the act to which this is an amendment, or who, after the expiration of said six months shall be found within the jurisdiction of the United States without such certificate of residence, shall be deemed and adjudged to be unlawfully within the United States, and may be arrested by any United States customs official, collector of internal revenue or his deputies, United States marshal or his deputies, and taken before a United States judge, whose duty it shall be to order that he be deported from the United States, as provided in this act and in the act to which this is an amendment, unless he shall establish clearly to the satisfaction of said judge that by reason of accident, sickness, or other unavoidable cause he has been unable to procure his certificate, and to the satisfaction of said United States judge, and by at least one credible witness other than Chinese, that he was a resident of the United States on the fifth of May, eighteen hundred and ninety-two; and if, upon the hearing, it shall appear that he is so entitled to a certificate, it shall be granted upon his paying the cost.

Arrest.

Deportation.

Excuses.

Loss of certificate.

Should it appear that said Chinaman had procured a certificate which has been lost or destroyed, he shall be detained and judgment suspended a reasonable time to enable him to procure a duplicate from the officer granting it, and in such cases the cost of said arrest and trial shall be in the discretion of the court; and any Chinese person, other than a Chinese laborer, having a right to be and remain in the United States, desiring such certificate as evidence of such right, may apply for and receive the same without charge; and that no proceedings for a violation of the provisions of said section six of said act of May fifth, eighteen hundred and ninety-two, as originally enacted, shall hereafter be instituted, and that all proceedings for said violation now pending are hereby discontinued:"

Persons other than laborers.

Proceedings under former act discontinued.

Felons can not register.

Provided, That no Chinese person heretofore convicted in any court of the States or Territories or of the United States of a felony shall be permitted to register under the provisions of this act; but all such persons who are now subject to deportation for failure or refusal to comply with the act to which this is an amendment shall be deported from the United States as in said act and in this act provided, upon any appropriate proceedings now pending or which may be hereafter instituted.

Deportation.

Execution of order of deportation.

SEC. 2. * * * Such order of deportation shall be executed by the United States marshal of the district within which such order is made. and he shall execute the same with all convenient dispatch; and pending the execution of such order such Chinese persons shall remain in the custody of the United States marshal, and shall not be admitted to bail.

Bail not allowed.

* * * * *

Act approved November 3, 1893.

* * * * *

ARTICLE IV.

In pursuance of Article III of the Immigration Treaty between the United States and China, signed at Peking on the 17th day of November, 1880 (the 15th day of the tenth month of Kwanghsii, sixth year), it is hereby understood and agreed that Chinese laborers or Chinese of any other class, either permanently or temporarily residing in the United States, shall have for the protection of their persons and property all rights that are given by the laws of the United States to citizens of the most favored nation, excepting the right to become naturalized citizens. And the Government of the United States reaffirms its obligation, as stated in said Article III, to exert all its power to secure protection to the persons and property of all Chinese subjects in the United States.

Protection of Chinese.

* * * * *

Convention December 8, 1894.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the district attorney of the district in which any Chinese person may be arrested for being found unlawfully within the United States, or having unlawfully entered the United States, to designate the United States commissioner within such district before whom such Chinese person shall be taken for a hearing.

U. S. attorney to designate commissioner to hear case.

SEC. 2. That a United States commissioner shall be entitled to receive a fee of five dollars for hearing and deciding a case arising under the Chinese-exclusion laws.

Commissioner's fee.

SEC. 3. That no warrant of arrest for violations of the Chinese-exclusion laws shall be issued by United States commissioners excepting upon the sworn complaint of a United States district attorney, assistant United States district attorney, collector, deputy collector, or inspector of customs, immigration inspector, United States marshal, or deputy United States marshal, or Chinese inspector, unless the issuing of such warrant of arrest shall first be approved or requested in writing by the United States district attorney of the district in which issued.

When warrant of arrest may be issued without sworn complaint.

SEC. 4. That this act shall take effect immediately.

Act approved March 3, 1901.

* * * * *

RULE 18. Orders for the deportation of Chinese persons can only be given by a justice, judge, or commissioner of a United States court upon his decision that such Chinese persons have been found to be unlawfully within the United States, and the cost of making any such deportation is payable from the appropriation for the enforcement of the Chinese-exclusion laws.

Orders deportation, how given.

RULE 19. Hereafter an original certificate of residence can be issued to a Chinese laborer only upon the finding of a justice, judge, or commissioner of a United States court that such Chinese laborer was a resident of the United States during the period of registration, and that by reason of accident, sickness, or other unavoidable cause, he was then unable to secure such a certificate.

Original certificate to be issued hereafter on judicial ruling only.

* * * * *

Chinese person, offering copy of, to be completely identified.

RULE 22. No authenticated copy of a judicial finding that a Chinese person was born in the United States shall be accepted as conclusive in favor of the person presenting it, unless he be completely identified as the person to whom such authenticated copy purports to relate.

* * * * *

Warrant for commitment and trial of arrested Chinese.

RULE 24. Every Chinese laborer found within the United States without the certificate of registration prescribed by law shall be arrested, after being allowed a reasonable opportunity under the close surveillance of the officer making such arrest to produce such certificate, by any officer charged with the enforcement of the Chinese-exclusion laws; and shall be taken by such officer before a justice, judge, or commissioner of a United States court in order that a warrant may be issued upon the oath of such officer for the commitment and trial of the said Chinese laborer.

* * * * *

RULE 47. The appropriation "Enforcement Chinese-exclusion acts" should be charged with the following expenses:

Cost of maintenance and deportation—how payable.

(*a*) The cost of maintenance of Chinese persons who are taken into custody, up to and including the date upon which warrant issued by a United States judge or commissioner is received by the marshal.

(*b*) The cost of maintenance of Chinese prisoners, commencing with the date writ of deportation is first received by the marshal, provided the said order of deportation is not subsequently reversed upon appeal.

(*c*) The cost of deportation, including railroad and steamship fares of prisoners and marshal or deputy, authorized expenses for guard hire, and maintenance en route.

Marshals to be instructed as to routes to be used.

Upon receiving writs of deportation, marshals should at once make written report to the Commissioner-General of Immigration, Department of Commerce and Labor, Washington, D. C., giving names of the prisoners, where confined in jail, and when the period of appeal provided by section 13 of the act approved September 13, 1888, will expire. Instructions will then be issued as to the route to be followed, number of guards to be employed, and to whom accounts are to be presented or forwarded for settlement.

* * * * *

Regulations July 27th, 1903.

OFFENSES AGAINST CHINESE-EXCLUSION LAWS AND PENALTIES THEREFOR.

* * * * *

"SEC. 8. That the master of any vessel arriving in the United States from any foreign port or place shall, at the same time he delivers a manifest of the cargo, and if there be no cargo, then at the time of making a report of the entry of the vessel pursuant to law, in addition to the other matter required to be reported, and before landing, or permitting to land, any Chinese passengers, deliver and report to the collector of customs of the district in which such vessels shall have arrived a separate list of all Chinese passengers taken on board his vessel at any foreign port or place, and all such passengers on board the vessel at that time. Such list shall show the names of such passengers (and if accredited officers of the Chinese or of any other foreign Government, traveling on the business of that Government, or their servants, with a note of such facts), and the names and other particulars as shown by their respective certificates; and such list shall be sworn to by the master in the manner required by law in relation to the manifest of the cargo.

Master of vessel to furnish sworn list of passengers.

"Any refusal or willful neglect of any such master to comply with the provisions of this section shall incur the same penalties and forfeiture as are provided for a refusal or neglect to report and deliver a manifest of the cargo."

Penalty.

Section ten of said act is hereby amended so as to read as follows:

"SEC. 10. That every vessel whose master shall knowingly violate any of the provisions of this act shall be deemed forfeited to the United States, and shall be liable to seizure and condemnation in any district of the United States into which such vessel may enter or in which she may be found."

Liability of vessel.

Section eleven of said act is hereby amended so as to read as follows:

"SEC. 11. That any person who shall knowingly bring into or cause to be brought into the United States by land, or who shall aid or abet the same, or aid or abet the landing in the United States from any vessel, of any Chinese person not lawfully entitled to enter the United States, shall be deemed guilty of a misdemeanor, and shall on conviction thereof, be fined a sum not exceeding one thousand dollars, and imprisoned for a term not exceeding one year."

Persons aiding or abetting unlawful entry.

* * * * *

Penalties.

SEC. 16. That any violation of any of the provisions of this act, or of the act of which this is amendatory, the punishment of which is not otherwise herein provided for, shall be deemed a misdemeanor, and shall be punishable by fine not exceeding one thousand dollars, or by imprisonment for not more than one year, or both such fine and imprisonment.

* * * * *

Act approved July 5, 1884.

* * * * *

Violation of act by master of vessel.

SEC. 9. That the master of any vessel who shall knowingly bring within the United States on such vessel, and land, or attempt to land, or permit to be landed, any Chinese laborer or other Chinese person, in contravention of the provisions of this act, shall be deemed guilty of a misdemeanor and, on conviction thereof,

Penalty.

shall be punished with a fine of not less than five hundred dollars, nor more than one thousand dollars, in the discretion of the court, for every Chinese laborer or other Chinese person so brought, and may also be imprisoned for a term of not less than one year, nor more than five years, in the discretion of the court.

Vessel in distress or touching at port.

SEC. 10. That the foregoing section shall not apply to the case of any master whose vessel shall come within the jurisdiction of the United States in distress or under stress of weather, or touching at any port of the United States on its voyage to any foreign port or place. But Chinese laborers or persons on such vessel shall not be permitted to land, except in case of necessity, and must depart with the vessel on leaving port.

Forgery of certificate.

SEC. 11. That any person who shall knowingly and falsely alter or substitute any name for the name written in any certificate herein required, or forge such certificate, or knowingly utter any forged or fraudulent certificate, or falsely personate any person named in any such certificate, and any person other than the one to whom a certificate was issued who shall falsely present any such certificate, shall be

Penalty.

deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars and imprisoned in a penitentiary for a term of not more than five years.

* * * * *

Arrest of Chinese unlawfully in the United States.

SEC. 13. That any Chinese person or person of Chinese descent found unlawfully in the United States or its Territories may be arrested upon a warrant issued upon a complaint, under oath, filed by any party on behalf of the United States, by any justice, judge, or commissioner of a United States court, returnable before any justice, judge, or commissioner of a United States court, or before any United States court, and when convicted upon a hearing

Deportation.

and found and adjudged to be one not lawfully entitled to be or remain in the United States, such person shall be removed from the United States to the country whence he came.

Appeal to judge of district court.

But any such Chinese person convicted before a commissioner of a United States court may, within ten days from such conviction, appeal to the judge of the district court for the district.

A certified copy of the judgment shall be the process upon which said removal shall be made, and it may be executed by the marshal of the district or any officer having authority of a marshal under the provisions of this section.

And in all such cases the person who brought or aided in bringing such person into the United States shall be liable to the Government of the United States for all necessary expenses incurred in such investigation and removal; and all peace officers of the several States and Territories of the United States are hereby invested with the same authority in reference to carrying out the provisions of this act, as a marshal or deputy marshal of the United States, and shall be entitled to like compensation, to be audited and paid by the same officers.

Punishment of person aiding. —liability for expenses of deportation.

Authority of State officers.

* * * * *

Act approved September 13, 1888.

* * * * *

SEC. 8. That any person who shall knowingly and falsely alter or substitute any name for the name written in such certificate or forge such certificate, or knowingly utter any forged or fraudulent certificate, or falsely personate any person named in such certificate, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars or imprisoned in the penitentiary for a term of not more than five years.

Certificates of residence; penalty for forging.

* * * * *

Act approved May 5, 1892.

* * * * *

SEC. 3. That no warrant of arrest for violations of the Chinese-exclusion laws shall be issued by United States commissioners excepting upon the sworn complaint of a United States district attorney, assistant United States district attorney, collector, deputy collector, or inspector of customs, immigration inspector, United States marshal, or deputy United States marshal, or Chinese inspector, unless the issuing of such warrant of arrest shall first be approved or requested in writing by the United States district attorney of the district in which issued.

When warrants of arrest may issue without sworn complaint.

SEC. 4. That this act shall take effect immediately.

Act approved March 3, 1901.

MISCELLANEOUS.

* * * * *

Chinese shall not be naturalized.

SEC. 14. That hereafter no State court or court of the Unit States shall admit Chinese to citizenship; and all laws in co flict with this act are hereby repealed.

* * * * *

Act approved May 6, 1882.

* * * * *

RULE 61. In view of the provisions of section 1 of the act approv April 29, 1902, it will be necessary for Chinese persons of the class mentioned in article 3 of the Convention of December 8, 1894, wl are resident in the insular territory of the Unit States, to comply with the terms of section 6 of tl act approved July 5, 1884, and for this purpose tl permission of such persons to go from one insul territory to another insular territory of the Unit States, or from such insular territory to the mainland territory the United States, shall be granted by an officer designated for th purpose by the chief executive of said insular territories, respe tively, and the duties imposed by section 6 of the act approve July 5, 1884, upon United States diplomatic and consular officers i foreign countries in relation to Chinese persons of the said class shall be discharged by the chief officers in charge of the enforc ment of the Chinese-exclusion acts at the ports, respectively, fro which any members of such excepted classes intend to depart fro any insular territory of the United States.

Section 6 certificates—how issued to residents insular territory.

* * * * *

Regulations July 27th, 1903.

* * * * *

Secretary may appoint agents—how.

SEC. 2. That the Secretary of the Treasury is hereby auth ized and empowered to make and prescribe, and from time time to change, such rules and regulations not inconsiste with the laws of the land as he may deem necessary a proper to execute the provisions of this Act and of the Acts hereby extended a continued and of the treaty of December eighth, eighteen hundred and nine four, between the United States and China, and with the approval of the Pre dent to appoint such agents as he may deem necessary for the efficient executi of said treaty and said Acts.

* * * * *

Philippine Commission to have charge registration of Chinese laborers in Philippine Islands.

SEC. 4. That it shall be the duty of every Chinese labor other than a citizen, rightfully in, and entitled to remain any of the insular territory of the United States (Hawaii e cepted) at the time of the passage of this Act, to obtain wit one year thereafter a certificate of residence in the insu territory wherein he resides, which certificate shall enti him to residence therein, and upon failure to obtain such c *tificate as herein provided* he shall be deported from such insular territo *and the Philippine Commission* is authorized and required to make all reg

ons and provisions necessary for the enforcement of this section in the Philippine Islands, including the form and substance of the certificate of residence so hat the same shall clearly and sufficiently identify the holder thereof and enble officials to prevent fraud in the transfer of the same: *Provided, however,* That if said Philippine Commission shall find that it is impossible to complete he registration herein provided for within one year from the passage of this ct, said Commission is hereby authorized and empowered to extend the time or such registration for a further period not exceeding one year.

Act approved April 29, 1902.

ARTICLE I.

The High Contracting Parties agree that for a period of ten ears, beginning with the date of the exchange of the ratificaions of this Convention, the coming, except under the conitions hereinafter specified, of Chinese laborers to the United tates shall be absolutely prohibited.

Extension of period of exclusion by treaty.

* * * * *

ARTICLE VI.

This Convention shall remain in force for a period of ten ears beginning with the date of the exchange of ratificaons, and if six months before the expiration of the said eriod of ten years neither Government shall have formally ven notice of its final termination to the other, it shall main in full force for another like period of ten years.

In faith whereof, we, the respective plenipotentiaries, have gned this Convention and have hereunto affixed our seals.

Duration of period of exclusion extended for additional period of ten years, unless notice be given to the contrary.

* * * * *

Convention December 8, 1894.

N ACT To prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of merica in Congress assembled, That all laws now in force prohibiting and reguting the coming of Chinese persons, and persons of Chinese escent, into the United States, and the residence of such perns therein, including sections five, six, seven, eight, nine, n, eleven, thirteen, and fourteen of the Act entitled "An ct to prohibit the coming of Chinese laborers into the United States," approved eptember thirteenth, eighteen hundred and eighty-eight, be, and the same are reby, re-enacted, extended, and continued so far as the same are not inconstent with treaty obligations, until otherwise provided by law, and said laws all also apply to the island territory under the jurisdiction of the United ates, and prohibit the immigration of Chinese laborers, not citizens of the nited States, from such island territory to the mainland territory of the United ates, whether in such island territory at the time of cession or not, and from e portion of the island territory of the United States to another portion of said land territory: *Provided, however,* That said laws shall not apply to the transit Chinese laborers from one island to another island of the same group; and any lands within the jurisdiction of any State or the District of Alaska shall be nsidered *a part of the* mainland under this section.

Exclusion by law continued without limit of time.

* * * * *

ct approved April 29, 1902.

* * * * *

RULE 48. The Department of Justice under date of August 26, 189' gave the following instructions.

U. S. attorneys to represent Government in Chinese cases.

United States attorneys are hereby directed, either in pe son or by their assistants, to appear on behalf of the Gover ment to secure the proper enforcement of the law at all hea ings held in their respective districts, to determine wheth Chinese persons or persons of Chinese descent, who have bee arrested under the Chinese-exclusion laws, have a lawful right to remain in th country.

* * * * *

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